

PUBLIC MEETING

PLAN COMMISSION MEETING
VILLAGE OF BARRINGTON

PC 06-06 SUNSET ESTATES PLAT OF SUBDIVISION

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Barrington Village Hall
200 South Hough Street
Barrington, Illinois

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Tuesday, May 23, 2006

7:00 p.m.

PUBLIC MEETING

Tuesday, May 23, 2006

7:00 o'clock p.m.

RE: Sunset Estates Plat of Subdivision

PLAN COMMISSION
VILLAGE OF BARRINGTON

* * *

Held on Tuesday, May 23, 2006, commencing
at the hour of approximately 7:00 p.m., at the
Barrington Village Hall, 200 South Hough Street,
Barrington, Illinois.

PLAN COMMISSIONERS PRESENT:

Ruth Schlossberg, Vice Chairperson
John Patsey, Commissioner
Richard Ehrle, Commissioner
Dan Hogan, Commissioner
Ed McCauley, Commissioner

ALSO PRESENT:

Jim Wallace, Director of Building and Planning
Paul Evans, Assistant Director of Planning

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1 CHAIRPERSON SCHLOSSBERG: We will call
2 to order the Plan Commission meeting of the
3 Village of Barrington. It is about 7:03 p.m. on
4 Tuesday, May 23rd.

5 Can you call the roll.

6 MR. EVANS: Commission Burrows?

7 (No response.)

8 MR. EVANS: Commissioner -- Chairperson
9 Bush?

10 (No response.)

11 MR. EVANS: Commissioner Ehrle?

12 COMMISSIONER EHRLE: Here.

13 MR. EVANS: Commissioner McCauley?

14 COMMISSIONER McCAULEY: Here.

15 MR. EVANS: Commissioner Patsey?

16 COMMISSIONER PATSEY: Here.

17 MR. EVANS: Commissioner Hogan?

18 COMMISSIONER HOGAN: Here.

19 MR. EVANS: Acting Chairperson
20 Schlossberg?

21 CHAIRPERSON SCHLOSSBERG: Here.

22 Thank you, and I'll ask everyone's
23 forbearance because the key word there is
24 "acting" Chairperson. So I'll try to bluff my

1 way through the evening, and you can all back me
2 up if I get out of order here.

3 First thing, we should normally
4 begin with old business; but am I correct, Paul,
5 that if no one objects, we would like to start
6 with PC 06-06, Sunset Estates which would
7 ordinarily be new business, Item Number 4, on
8 the Plan Commission; and do we have people here?
9 Are we just presenting tonight?

10 MR. EVANS: Yes, that's fine. If the
11 Commission has any questions, Natalie Karney is
12 here from Land Technology representing them.
13 She do a short -- talk about the subdivision, if
14 you would like.

15 CHAIRPERSON SCHLOSSBERG: Okay, if you
16 would. And I just want to remind anyone
17 speaking tonight, because all of this is
18 recorded and live and broadcast to the
19 residents, you do need to either speak into the
20 microphone that's up there or there is a
21 hand-held one sitting there, if you need to move
22 around the room; but that way you will be picked
23 up and everyone out in the world can hear you,
24 okay.

1 MS. KARNEY: My name is Natalie Karney.
2 I'm with Land Technology, and we are the
3 engineering firm that prepared the subdivision
4 plat and engineering plans for Sunset Estates.

5 Sunset Estates is located in
6 unincorporated Lake County, Cuba Township.

7 MR. EVANS: You need to be sworn in.

8 CHAIRPERSON SCHLOSSBERG: Oh, you are
9 giving a hearing? I thought you --

10 MR. EVANS: I noticed it as a public
11 hearing -- you are right, I'm sorry, you are
12 correct, sorry. It is not a public meeting,
13 sorry.

14 CHAIRPERSON SCHLOSSBERG: Okay, thank
15 you.

16 MS. KARNEY: And the reason we are here
17 is because the Village of Barrington is within a
18 mile and a half of the boundaries of the
19 subdivision and by law we are required to get
20 the signatures of the Plan Commission and the
21 Village Board on the plat.

22 Just a brief summary of the
23 subdivision. It's an 11-lot subdivision. It's
24 located on the north side of Grant Road and west

1 of Sunset. Sunset Road will be extended, it
2 dead ends right now to the west; it will be
3 extended into the subdivision. That road exists
4 on the south side of the subdivision.

5 If you are not familiar with the
6 area, Exmoor comes up from the south, dead ends
7 at Grant Road and then Grant Road comes in this
8 direction to the east, and dead ends at this
9 point.

10 There's a couple of existing houses
11 on the property right now, those will be taken
12 down.

13 Two of the lots front Grant Road,
14 the nine lots west of, the remaining nine lots
15 front the new extension of Sunset Road.

16 We will be doing some improvements,
17 some resurfacing to Grant Road. We also will be
18 doing an improvement to Sunset Road in this area
19 since right now it's basically a driveway type
20 configuration.

21 There will be detention on the
22 property in two locations. There is some
23 wetlands on the property, those will be
24 preserved. We have gone through extensive

1 reviews with the Lake County engineering
2 department; and as of today we have gotten final
3 approval on everything we have submitted. And
4 now we are just waiting for signatures for the
5 plat before it can be, it can be presented to
6 their committee for.

7 CHAIRPERSON SCHLOSSBERG: I'm going to
8 interrupt for one second.

9 I just want to clarify. We haven't
10 noticed this or anything and we are not required
11 under our ordinance to do any --

12 MR. EVANS: That's correct.

13 CHAIRPERSON SCHLOSSBERG: Okay, just so
14 I make sure before we go any further. Thank
15 you.

16 MS. KARNEY: And I believe this has been
17 reviewed by staff and I believe, Paul, correct
18 me if I'm wrong, that we have met the minimum
19 criteria for the Village of Barrington as far as
20 the subdivision is concerned.

21 MR. EVANS: Correct, staff is satisfied.

22 CHAIRPERSON SCHLOSSBERG: Before we ask
23 questions, staff, do you have anything you would
24 like to say?

1 MR. EVANS: We have reviewed it and that
2 they have to meet the Lake County Unified
3 Development Ordinance, Lake County Health
4 Department and Lake County, the stormwater
5 requirements. They have 66 foot of right of way
6 which is our standard, and we will be following
7 the Barrington Countryside Fire Protection
8 District and recommend approval of it.

9 CHAIRPERSON SCHLOSSBERG: You were done,
10 right --

11 MS. KARNEY: Right.

12 CHAIRPERSON SCHLOSSBERG: (Continuing.)
13 -- we didn't cut you off?

14 MS. KARNEY: Correct.

15 CHAIRPERSON SCHLOSSBERG: Then should we
16 move into questions here, Commissioners?

17 COMMISSIONER PATSEY: Yes, this is going
18 to be well and septic, no connection to the
19 Village of Barrington?

20 MS. KARNEY: Correct.

21 COMMISSIONER PATSEY: And no plans to
22 connect to the Village of Barrington?

23 MS. KARNEY: Not at this time.

24 CHAIRPERSON SCHLOSSBERG: Questions?

1 COMMISSIONER McCAULEY: No.

2 CHAIRPERSON SCHLOSSBERG: Paul, I have a
3 question for you. Under our code do they need
4 to do any of the neighbor to neighbor things for
5 a subdivision that isn't in our jurisdiction?

6 MR. EVANS: You are not required to have
7 any notice, a public notice or notice to the
8 neighbors.

9 CHAIRPERSON SCHLOSSBERG: So all of this
10 will be heard at the County level. And we just
11 needed to review you for subdivision compliance.

12 MS. KARNEY: Correct.

13 CHAIRPERSON SCHLOSSBERG: Okay. Now are
14 there people in the audience who have questions
15 or comments?

16 (No response.)

17 CHAIRPERSON SCHLOSSBERG: Then I guess
18 my question for you is, what do you need from
19 us, an actual vote?

20 MR. EVANS: You might want to talk about
21 maybe take up that impact fee.

22 CHAIRPERSON SCHLOSSBERG: Oh, did you
23 want me to mention -- I guess I had a question
24 for you; though it's a little unfair for the

1 engineer, but as a legal matter am I correct in
2 understanding you pay the Village of Barrington
3 since our subdivision ordinance applies, our
4 impact fees or do you pay County, any of our
5 applicable, do you know?

6 MS. KARNEY: That I don't -- I can't
7 answer. The general fees, we have, I know the
8 developer Dennis Kugulo (phonetic spelling) has
9 agreements with the School District and so on
10 for any of those impact fees.

11 CHAIRPERSON SCHLOSSBERG: Under the
12 County ordinance or the Village ordinance?

13 MS. KARNEY: I believe County ordinance.

14 CHAIRPERSON SCHLOSSBERG: Are there any
15 impacts on the Village that we should be
16 collecting for?

17 MR. EVANS: I believe, I think part of
18 the ordinance that we would put in, about
19 Barrington Countryside Fire Protection District,
20 they would be subject to that, the Barrington,
21 obviously the School District; and the other two
22 we have, if it's within the Park District or
23 library may be the other two, and I would have
24 to check if those are outside the --

1 CHAIRPERSON SCHLOSSBERG: I guess I
2 would ask before it goes to the Village Board to
3 make sure that we're collecting the highest
4 school impact fee if Barrington's is higher than
5 the County's. I have a feeling they're
6 comparable because the County puts some
7 discretion in the School District. And I
8 imagine they would collect it the same.

9 But I would make sure that if we
10 can, we're getting the highest impact fees for
11 the schools.

12 MR. EVANS: We will reflect that in the
13 resolution.

14 CHAIRPERSON SCHLOSSBERG: Thank you.

15 Any other questions, then I'll need
16 a motion?

17 COMMISSIONER EHRLE: I move that we
18 accept the recommendations of staff for the
19 Sunset Estates plat of subdivision.

20 CHAIRPERSON SCHLOSSBERG: Okay, do we
21 have a second?

22 COMMISSIONER McCAULEY: I'll second it.

23 CHAIRPERSON SCHLOSSBERG: Okay, can you
24 call the roll.

1 MR. EVANS: Commissioner Ehrle?
2 COMMISSIONER EHRLE: Yes.
3 MR. EVANS: Commissioner McCauley?
4 COMMISSIONER McCAULEY: Yes.
5 MR. EVANS: Commissioner Patsey?
6 COMMISSIONER PATSEY: Yes.
7 MR. EVANS: Commissioner Hogan?
8 COMMISSIONER HOGAN: Yes.
9 MR. EVANS: Chairperson Schlossberg?
10 CHAIRPERSON SCHLOSSBERG: Yes.
11 MS. KARNEY: Thank you very much. And
12 thank you all for your forbearance.
13 CHAIRPERSON SCHLOSSBERG: Are you all
14 ready for the next?
15 (WHEREUPON THESE WERE ALL THE
16 PROCEEDINGS HAD REGARDING SUNSET
17 ESTATES PLAT OF SUBDIVISION
18 PC-06-06.)
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PUBLIC HEARING

PLAN COMMISSION SPECIAL MEETING
VILLAGE OF BARRINGTON

PC 05-07 Hamilton Court Planned Development

* * *

Barrington Village Hall
200 South Hough Street
Barrington, Illinois

* * *

Tuesday, May 23, 2006

7:00 p.m.

PUBLIC HEARING

Tuesday, May 23, 2006

7:00 o'clock p.m.

RE: Hamilton Court Planned Development

PLAN COMMISSION
VILLAGE OF BARRINGTON

* * *

Held on Tuesday, May 23, 2006, commencing
at the hour of approximately 7:10 p.m., at the
Barrington Village Hall, 200 South Northwest
Highway Street, Barrington, Illinois.

PLAN COMMISSIONERS PRESENT:

Ruth Schlossberg, Vice Chairperson
John Patsey, Commissioner
Richard Ehrle, Commissioner
Dan Hogan, Commissioner
Ed McCauley, Commissioner

ALSO PRESENT:

Jim Wallace, Director of Building & Planning
Paul Evans, Assistant Director of Planning

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MEMBERS OF THE PUBLIC

1 CHAIRPERSON SCHLOSSBERG: The next item
2 of business is old business. And I guess before
3 we open the hearing, let me just say, since
4 there's a lot of people here in attendance
5 tonight and there's different matters, both of
6 these hearings will, there will be an
7 opportunity for public comment. So rest assured
8 that if you have something to say about either
9 of these after the staff and petitioner have a
10 chance to give their presentations, you will
11 have an opportunity to ask questions or present
12 any testimony.

13 So the next item we are going to
14 move to then is old business, PC 05-07, Hamilton
15 Court planned development.

16 This hearing was opened and held on
17 May 9, 2006 and continued to this day. So we
18 will reopen that hearing. And we will begin
19 tonight -- I think as I recall this was heard
20 and a number of items were left open and
21 Hamilton Court, the Garlands, and staff were
22 going to work on a number of issues, so I think
23 we want to start with staff tonight, giving a
24 presentation and update.

1 MR. EVANS: Thank you.

2 This meeting was March 21st, when
3 the Plan Commission heard this special meeting
4 that night, and adjourned, basically continued
5 this meeting to research some concerns regarding
6 several issues, stormwater management,
7 landscaping, and lighting.

8 Staff is reporting that we have met
9 with both the petitioners, the Garlands, and
10 some of the surrounding property owners had
11 discussion with them.

12 As far as the stormwater
13 management, the petitioner has revised their
14 stormwater management plan and have incorporated
15 now the use of retaining walls and reconfigured
16 the grade to address concerns raised by the
17 Village of Barrington and The Garlands of
18 Barrington.

19 Petitioner has lowered the level of
20 the detention pond and has provided an aerator
21 in the detention pond.

22 The staff has reviewed their
23 stormwater plans. They have actually made
24 several submittals and staff has reviewed the

1 stormwater plan and find it to be conceptually
2 sound and is confident that any engineering
3 details can be resolved during the final
4 engineering phase, during the permitting phase.

5 As far as the landscaping, which is
6 another issue, the petitioner has revised its
7 landscape plan to reflect a 100 percent
8 screening along the north property line adjacent
9 to the Garlands.

10 Petitioner also be required to
11 place this landscaping along the north property
12 line in an easement, which will be maintained by
13 the homeowner's association.

14 The petitioner has submitted
15 landscape plans to the adjoining property owners
16 for their comment; and as a result of that, we
17 have used -- asked the petitioner to use a
18 smaller specie of tree so it will not interfere
19 with the overhead utility lines.

20 Also the petitioner has checked
21 that the overflow water, overflow route for the
22 water will not be impeded by the landscape.

23 As far as for lighting on the
24 property in addition to the landscaping put in,

1 which is now being proposed as eight-foot,
2 mainly evergreen trees along the north property
3 line, the petitioner has provided a street, a
4 detail of the street lights to be used which is
5 similar to the one that was used at Main and
6 George; and there's a copy, a picture of the
7 detailing in the plans.

8 They also have agreed to restrict
9 the use of a flood light on Lot 6. And that the
10 maximum level permitted for light levels on the
11 property is a half a footcandle, which is a good
12 residential standard on the property.

13 In addition to that, instead of
14 using traditional street lights, they are also
15 going to opt for using coach lights on the
16 property with the exception of a street light at
17 the corner of Main Street and their access
18 drive.

19 And staff has received homeowner
20 association documents and has reviewed those
21 regarding easements and the maintenance of those
22 easements such as retaining walls, landscaping
23 on site, all the common areas in the easements.

24 In addition to that, the

1 petitioners are paying 20,500 for other
2 landscaping that they feasibly could not place
3 in on the property.

4 They are required to pay impact
5 fees to all the required governmental bodies
6 under the Village's ordinance.

7 And let see what else, the aeration
8 system in the detention pond is being used to
9 minimize a mosquito breeding concern that was
10 brought up.

11 I think that's basically a
12 capsulation of the work that we have done since
13 the last Plan Commission meeting and that this
14 plan is ready for approval and staff's
15 questions.

16 CHAIRPERSON SCHLOSSBERG: Okay, do you
17 have any questions, or should we go right to the
18 applicant's presentation?

19 All right, technically you were all
20 sworn in at the last hearing and this is just a
21 continuation so you don't have to; but our
22 general principle, since we have some new people
23 here, I would ask that anyone who plans to
24 testify or say anything during this hearing that

1 we are in right now, raise your right hand, and
2 ask if you would swear or affirm that the
3 testimony you are about to give before the Plan
4 Commission of the Village of Barrington will be
5 the truth, the whole truth, and nothing but the
6 truth. If you do, say "I do."

7 You are now all officially sworn.
8 Okay, and again for the record you do need to
9 speak into the microphone; and if you wouldn't
10 mind again giving your name once more for the
11 record and your address.

12 MR. LYNAM: Good evening.

13 Members of the Plan Commission, my
14 name is David Lynam. I'm legal counsel to the
15 developer, Hamilton Homes. I'm an attorney with
16 Lynam & Associates with offices in Barrington
17 and Chicago.

18 Hamilton Homes is a Barrington
19 based developer. And our lender for this
20 project is Barrington Bank & Trust.

21 We are proceeding with our petition
22 for subdivision approval. This is a
23 continuation of our public hearing on
24 March 21st.

1 Just briefly to summarize for the
2 convenience of the Commission and the audience,
3 this particular petition involves three street
4 addresses, 828 -- 628, 634 and 700 East Main.
5 There are currently three single-family
6 residences on these properties, one of which is
7 vacant.

8 The property is currently zoned
9 R-5. We are not asking for any change to the
10 zoning.

11 The lots that we are proposing, 11
12 lots; initially 12 but one was reduced to
13 provide more stormwater detention, are 75-foot
14 minimum width, 10,000 square feet minimum area;
15 again as called for by the ordinances in the
16 Village of Barrington. We are not asking for
17 any variances or exceptions to the zoning or
18 subdivision regulations of the Village.

19 At the last hearing there were
20 three general areas of concern that Mr. Evans
21 mentioned, drainage and grading, landscaping,
22 and lighting.

23 Since that time, approximately
24 eight weeks ago, we have had three meetings with

1 our neighbors immediately to the north, The
2 Garlands. We have had a submittal to the
3 neighbors to the east in the form of our plans
4 being mailed to each homeowner to, directly to
5 the subdivision to the east. And we have had
6 two technical revisions of our engineering
7 plans.

8 The modifications that have been
9 made, there have been several modifications, as
10 Mr. Evans indicated, to the water detention
11 area. There is now an aeration system that's
12 being employed, the rip-rap which was initially
13 proposed has been eliminated in favor of a green
14 material, a grass material. These changes are
15 all acceptable to The Garlands.

16 The street elevations have been
17 lowered. We have dropped the street by two
18 feet. This was a major concern at the last
19 hearing and many of the foundation -- I think
20 all of the foundations in fact have been lowered
21 between one and two-and-a-half feet;
22 particularly in Lots 6 and 7, which are to the
23 rear of the parcel and do come the closest to
24 The Garlands project, those foundations have

1 been lowered significantly as well.

2 The landscaping, we have created
3 now a full screen across the back of the parcel
4 so that there is continuity with the landscaping
5 that The Garlands has planted on that side of
6 their property.

7 As far as the lighting is
8 concerned, we have eliminated street lighting
9 entirely; again, light pollution being a key
10 concern. We now have adopted the carriage
11 lights or the type of lights that are part of
12 the construction of the homes and will generate
13 light in the front yards and will be subject to
14 the .5 footcandle limitation that will be made
15 part of the covenants which will be created to
16 regulate the construction of the homes in the
17 subdivision.

18 We have design review committee
19 which has been formulated as part of the
20 covenants which will oversee the construction of
21 all the homes consistent with these individual
22 requirements that we have now been discussing.

23 The covenants, just to finish that,
24 that thought, create the association, requires

1 the maintenance of the landscaping that we are
2 installing, the water detention area, and this
3 new retaining wall that runs on the western
4 boundary of the parcel.

5 The carriage lights, the
6 photometric impact standards, and the monotony
7 requirements, which are also being made part of
8 the covenants, are all part of the design review
9 process.

10 To give you the particulars of
11 these three particular areas of concern,
12 Mr. Aziz Siddiqui, who is our vice president in
13 charge of this project, he is here, he will
14 answer any further questions and provide
15 details.

16 Also, Dan Godzicki who is here, he
17 will talk about landscape issues.

18 And Todd Fagan, who is our land
19 strategies and traffic expert here to answer any
20 remaining questions about traffic.

21 There were a few questions at the
22 3/21 hearing; we wanted to make sure that if
23 there were any further questions, we could
24 answer those.

1 And now I would like to turn it
2 over to Mr. Siddiqui.

3 MR. SIDDIQUI: Good evening, everybody.

4 Dave has outlined fairly in detail
5 in terms of what we were trying to achieve from
6 our last meeting. And I would like to extend my
7 thanks to The Garlands, they have been very
8 cooperative in terms of --

9 CHAIRPERSON SCHLOSSBERG: I have to
10 interrupt you. You either have to stand at the
11 mike -- or hold the -- you do need that.

12 MR. SIDDIQUI: I'll use this one.

13 I was saying I want to extend my
14 thanks to Ed and Don, they have been very
15 cooperative in terms of responding --

16 CHAIRPERSON SCHLOSSBERG: It would help
17 of you turn it on.

18 MR. SIDDIQUI: This is good.

19 CHAIRPERSON SCHLOSSBERG: I'm sorry.

20 MR. SIDDIQUI: So they have responded
21 very quickly in terms of, to our reviews, and
22 that help us to achieve, in terms of timing and
23 submission back to Paul here.

24 One of the major things that I

1 wanted to highlight is the slope of the street
2 that was -- Dennis advised us last time, and
3 that a couple subdivisions where some of the
4 streets have gone to the extent of 8 percent
5 slope as you go in.

6 And what we have done is, in our
7 last meeting Don Matthews from the Gewalt
8 Engineering indicated to us that they have no
9 problem getting the water in from Main Street
10 into our subdivision, into the pond, and vice
11 versa because ultimately it's coming back to
12 them at some point in time. But the Village
13 engineer recommended to keep the high point of
14 the street so you keep the runoff on the Main
15 Street as it is going on today; and from here on
16 we brought the street approximately two feet
17 which was recommended or requested by The
18 Garlands. And we managed to achieve that.

19 So the effect of dropping this
20 entire street by about two feet, especially the
21 cul de sac, it brought the detention pond down
22 because The Garlands requested that the high
23 water level should be a foot below their top
24 floor, on the first floor, top of the

1 foundation, which we managed to do that.

2 The effect of that is they were
3 concerned that the embankment, if it's being
4 manually built, then there is the threat that it
5 may break at some point in time, you need a
6 geotechnical engineer to make sure that it's
7 been built properly.

8 So by doing so, now they are using
9 the existing ground as their bank, so we are
10 basically in a way eliminating that threat.

11 And a continuation of that, there
12 was, one of the concerns with the pond was the
13 rip-rap. They didn't want to see the rip-rap
14 and the Commission didn't like it at that point
15 in time. So the alternative that we were able
16 to come up with was switch grass, which I'm
17 hoping will be acceptable to the Village as well
18 as The Garlands.

19 And in regards to the pond, we
20 believe that based on our reviews and the
21 concerns, the comments, we have addressed
22 basically all of the issues that were related to
23 the design of the pond, in terms of the high
24 water, the rip-rap and so on.

1 One of the issues that we had last
2 time, we didn't address in our last meeting was,
3 the division of one of these inlets, where -- a
4 little bit to the south of where it is shown
5 today, so The Garlands had agreed that if you
6 push it further into the corner, then you would
7 be able to collect the water in a -- rather than
8 overflowing into the Garlands' property. So we
9 relocated that one and rerouted our storm system
10 to bring it back into the detention back there.
11 That was one of the changes that we did.

12 While we brought this down, it had
13 an effect on the top of foundations. So we went
14 back and started from Lot 6, which we wanted to
15 address, this was one of the major concerns of
16 the, obviously the elevation, the impact on the
17 elevation of this house versus this house, The
18 Garlands villas, we brought this one down; and I
19 don't have the exact figures in front of me
20 right now, but I believe we have reduced just
21 about every foundation on this entire parcel.
22 And by reducing so we followed the
23 recommendations of the Village engineer to add a
24 retaining wall along the entire perimeter of the

1 west property line, and the height of the wall
2 is anywhere from two feet to maximum 3.7 feet to
3 3.8 feet at the highest point, and again dies
4 down back as you are heading towards the north.

5 And as Dave indicated, that this
6 would be as a part of the association
7 maintenance program and it will be according to
8 that; and as a safety measure as it was
9 recommended by the Village engineer, we have
10 shown some additional retaining walls in between
11 the properties; and yes, nobody wants to see so
12 many retaining walls in between the houses, and
13 what can we do to eliminate that.

14 One of the suggestions that we were
15 going back and forth with Paul and the Village
16 engineer was, we would add a paragraph in the
17 engineering plans where it will spell out very
18 specifically that depending on the design of the
19 house and the size of the house, the retaining
20 wall will determine whether you would need one
21 or not, then we would try to maintain our four
22 to one slopes.

23 And one of the suggestions that I
24 had given to Paul was, when we were doing that,

1 if we have to drop one of the houses, the siding
2 or the brick of that particular building down a
3 couple of feet to eliminate the retaining wall,
4 we will certainly do so.

5 And in restructuring or
6 re-engineering the entire grading plan, we
7 have specified the garage as we have done
8 before, right hand, left hand garages of these
9 house.

10 And there are two houses I believe
11 in this subdivision where we are going to drop
12 the garage floor to make sure that our driveway
13 slopes are well below 10 percent, or not to
14 exceed eight percent or so. We have addressed
15 that concern which was one of the issues at one
16 point in time.

17 We have submitted a cross section
18 for final for the elevation of this house that
19 relates to the back villa of -- of The Garlands'
20 villas; and that villa is this one, to the
21 neighbors here, and to The Garlands, and they
22 have reviewed -- had a chance to review that.
23 And I'm sure it's fairly satisfactory as far as
24 I'm, as for the best of my mind; unless there is

1 something else that we need to follow in the
2 future, we will be glad to do so.

3 As David said, the street light was
4 in the Main Street right of way. We have
5 relocated that, brought it back leading to our
6 property. I consulted with the public works on
7 that and they have recommended a certain type of
8 lights which we have, from our contractor we
9 suggested what kind of street light -- oh, I'm
10 sorry.

11 CHAIRPERSON SCHLOSSBERG: I just --

12 MR. SIDDIQUI: Okay.

13 CHAIRPERSON SCHLOSSBERG: (Continuing.)
14 -- as long as you're up there, we want to be
15 sure that everyone can hear.

16 MR. SIDDIQUI: The type of street light
17 and the effect of that and where it's going to
18 go, be able to show the plans now, which their
19 plans will be submitted to IDOT again once we
20 have the approval on the preliminary
21 engineering. So IDOT is also waiting for that
22 information.

23 We have also highlighted which
24 foundations will have look-out basements on this

1 side of the property, including the Lot 6, so
2 from the back of these houses you are basically
3 not changing the looks of the existing topo that
4 is there out today. So it has less effect on
5 the people here basically, so we are not
6 changing the grade so to speak.

7 In terms of the landscaping, we
8 believe, I don't know, everybody has their views
9 and opinions, but we have done extensively,
10 extensively work. On a small project like this
11 size, honestly we have never gone back and forth
12 so many times, and we will be gladly to do so if
13 we have to, and we have done it, and we are
14 prepared to do so even further if we needed to.

15 We have made several, several
16 changes on this. And the last meeting that we
17 had with Garlands was approximately -- I don't
18 have the specific date which I should have with
19 me, but roughly a week after we had our last
20 public hearing, meeting; and we met with their
21 landscape architect, he gave us their
22 landscaping plan, plus he suggested what they
23 would like to see in terms of the northern
24 perimeter of the boundary here.

1 We took that, we incorporated their
2 landscaping plan into our plan, that was our
3 second submittal, technical review submittal to
4 the Village at that point. And the Village had
5 a chance to review that, look at it, there were
6 approximately 31 Doug Firs, if I'm not mistaken,
7 that was proposed for this side of the property.

8 We did exactly what The Garlands
9 wanted us to do, and the Village looked at it,
10 reviewed it, they thought that the species of
11 the plant material should be different, so they
12 recommended different types, and we suggested
13 four different types; but they are the same
14 height, by mistake or whatever, our's was only
15 eight feet at that time, so we specified eight
16 feet. But we went back and we resubmitted the
17 plan to the department, we changed that to
18 10-foot trees. But now instead of 31 trees, we
19 have planted about 37 trees in this area.

20 The detailed plan, I believe Dan
21 has got here -- Dan who is our landscape
22 architect on this project from Rolf Campbell,
23 these are the plant materials that you see here
24 that are existing on The Garlands' property.

1 These particular ones.

2 And this is what we are proposing
3 in our new plan here. So we thought we'll blow
4 this up a little bit and then hopefully you'll
5 have an opportunity to look at it as to what we
6 have tried to do in this area here.

7 I don't think The Garlands had an
8 opportunity to see this particular one. I don't
9 think they had. This was the most recent one,
10 it was done two days ago I believe, that was
11 submitted to Paul when we had a quick phone call
12 from it.

13 But it's pretty much in line with
14 what we have submitted previously to Garlands.
15 So -- but we will go back and hopefully submit
16 it tomorrow, which I apologize for it. It is
17 fairly close to what we have given you before,
18 hopefully it won't disappoint you.

19 On the west -- on the east side, we
20 had given a couple different options based on
21 the recommendation of the existing conditions
22 out there; one of the neighbors out here had a
23 concern saying that they would interfere with
24 the overhead power lines, and what do we do in a

1 situation like that. So we did an alternate
2 plan where ornamental trees will be planted.
3 And I believe we went back and we agreed to do
4 the, our original plan and we had shown that in
5 our revised landscaping plan.

6 So that was the only comment that
7 we received from the neighbors at that point in
8 time.

9 We have submitted, we have -- while
10 on the subject of landscaping, we had rearranged
11 our parkway trees, that was one of the problem
12 last time, but they were interfering with the
13 driveway, some of them.

14 So we went back, we identified
15 whether it's going to be a right-hand, a
16 left-hand garage, so we re-adjusted them,
17 realigned them where they should be, and
18 hopefully it won't interfere with anything else,
19 just like any of the storm structures or
20 sanitary structures; we will take a close look
21 at that before we submit our final plans.

22 With that, I think I would
23 conclude. And if you would like us, our
24 landscape architect is here, he would do a quick

1 walk through on it, on the landscaping because
2 that was one of the major concerns we all had; a
3 real quick one, that he will get into a little
4 more detail and specific information; whatever I
5 missed, hopefully he will catch that.

6 CHAIRPERSON SCHLOSSBERG: Okay,
7 thank you. And I'll just remind you again,
8 we'll need your name and address, thank you.

9 MR. GODZICKI: My name is Daniel
10 Godzicki, with Rolf Campbell.

11 CHAIRPERSON SCHLOSSBERG: Can you hear,
12 is there a green light -- there it is.

13 MR. GODZICKI: I am Daniel Godzicki.
14 I'm associated with Rolf C. Campbell &
15 Associates, 101 Waukegan Road in Lake Bluff.
16 I'm one of the landscape presenters here.

17 Aziz pretty much covered -- Aziz
18 pretty much covered everything concerning the
19 landscaping. One of the things that will change
20 was all these to go to ornamental trees.

21 Then on the back, as Aziz talked
22 about, we have met with The Garlands; and they
23 asked us to install 31 of the Douglas Firs,
24 matching Douglas firs on their side. We

1 submitted that drawing and through the review
2 process we were asked to remove some of the
3 trees because they were being located in the
4 drainage swale. They didn't like monoculture.
5 There was no -- they did not want it to block
6 the outlet, the outlet in here. And this
7 drainage swale coming through, see these trees
8 are in line through there, so they wanted them
9 moved.

10 But with that in mind in the
11 drainage patterns we needed to switch the
12 species because they didn't want to continue
13 with monoculture. So the plants, the plants
14 that are along the west side, along the drainage
15 way, are all plants that can tolerate extra
16 moisture.

17 The plants along the back of the
18 berm are plants that can tolerate being dryer.
19 And then the switch grass was added as a
20 greenway for the overflow. Switch grass is
21 normally found in drainage ways, so that was my
22 choice of that. And if there is any questions,
23 I think Aziz covered everything else.

24 CHAIRPERSON SCHLOSSBERG: Thank you --

1 oh, you have a question.

2 COMMISSIONER McCAULEY: I just have a
3 couple questions.

4 On the -- it looks like you decided
5 to go to ornamental trees on the east side of
6 the development, and said something about
7 interfering with utilities.

8 Are there power lines there now?

9 MR. GODZICKI: Yes, there are power
10 lines there now. And initially we thought that
11 they might be put underground but since they --
12 there's no way to tell whether it will be done
13 that way when the houses are built, we were
14 asked to just show ornamentals so there wouldn't
15 be an issue either way.

16 COMMISSIONER McCAULEY: Yes. So when
17 you place your ornamental -- your issue with the
18 power lines or the ten-foot easement, are you
19 thinking about both the root structure and the
20 tree itself?

21 MR. GODZICKI: Mostly the overhead and
22 so they are not cut.

23 The plant species, it is along
24 another drainage way back there; so when I get

1 near an inlet, those are plants that can
2 tolerate more water as opposed to ones a little
3 higher.

4 COMMISSIONER McCAULEY: All right. And
5 I think your colleague said that there really
6 has only been one comment from the neighbors as
7 far as this issue?

8 MR. EVANS: Just a couple, one was the
9 issue with the overhead lines, and the other was
10 interested about a silt fence during
11 construction, which is our standard.

12 COMMISSIONER McCAULEY: And the
13 neighbors were notified of the meeting tonight
14 and everything?

15 MR. GODZICKI: Yes.

16 COMMISSIONER McCAULEY: Okay.

17 I see that these ornamental trees
18 are listed in your plant legend as being eight
19 feet in height?

20 MR. GODZICKI: That's correct.

21 COMMISSIONER McCAULEY: Is that what
22 they will grow to?

23 MR. GODZICKI: That's what their
24 starting height will be.

1 COMMISSIONER McCAULEY: Okay.

2 MR. GODZICKI: There's only one that is
3 six foot and that's the purple prince crab, and
4 I have located closest to the street, and they
5 have specified it as a shrub form; only recently
6 I haven't been able to get nurseries to grow
7 that particular tree as a shrub. So there are
8 eight footers or nine footers out there but it
9 is also the fastest growing crab tree, it grows
10 up to two feet a year.

11 COMMISSIONER McCAULEY: And how high
12 will they grow to?

13 MR. GODZICKI: 25.

14 COMMISSIONER McCAULEY: So these only
15 grow to 25 feet in height, all right.

16 MR. GODZICKI: And the birch in the
17 background are 35.

18 CHAIRPERSON SCHLOSSBERG: Okay, thank
19 you. Okay, other questions about landscaping?

20 Okay, then -- thank you very much.
21 Are there other Hamilton Homes people who would
22 like to speak before we open it to -- okay, we
23 will open comments and testimony to the public
24 but I think as a courtesy I would like to start

1 with the representatives from The Garlands,
2 since I imagine you have something to say after
3 all of this.

4 MR. EVANS: Chairperson Schlossberg, I
5 also have something to read into the record,
6 that somebody had sent a letter to.

7 CHAIRPERSON SCHLOSSBERG: Oh, do you
8 want to do that now? Is it about landscaping?

9 MR. EVANS: It may be better just to get
10 it out there.

11 CHAIRPERSON SCHLOSSBERG: Oh, okay. All
12 right, excuse me, as we start public comment,
13 staff person Evans tells me that he has a letter
14 to read into the record and he did remind me of
15 that before the meeting and I apologize.

16 MR. EVANS: Somebody had sent us a
17 letter today, they asked us to read this into
18 the record.

19 "I am writing the Zoning Board of
20 this -- although this is the Plan
21 Commission -- I am writing the Zoning
22 Board and asking your assistance in
23 protecting the privacy of my property.

24 Hamilton Partners intends on building

1 possibly 11 homes on the East Main Street
2 in Barrington on property that adjoins
3 mine. I am located at 622 East Main
4 Street. Presently there is a screen of
5 large mature pine trees measuring 15 to
6 25 feet in height that border my property
7 on the east side. They run along the west
8 side of the tracks of the lot line, all
9 the way back towards my land as it adjoins
10 The Garlands' property. I am certain that
11 any new homes being built would enjoy the
12 privacy and natural beauty that these many
13 pines afford, and thus the builder will
14 use considerable care in protecting them.

15 I hope you will consider the value of
16 these trees and protect them from being
17 destroyed. Their presence would
18 undoubtedly enhance the lots for these new
19 homes as well as protect the privacy I
20 have been able to enjoy. Thank you for
21 your consideration, Sincerely, Susan
22 Reese, 622 East Main Street, Barrington,
23 Illinois."

24 CHAIRPERSON SCHLOSSBERG: Would you like

1 to comment on that before we open to public
2 comment, and maybe show us where those -- excuse
3 me, Garlands people, if I you could show us
4 where that letter sort of addresses and let us
5 know if we should be concerned or if you have
6 tackled that problem?

7 MR. GODZICKI: I found out about this
8 about an hour before the meeting here, and I
9 tried to take a look at everything. But there
10 is happening somewhere along this property line
11 where the grade is going to be changed and the
12 retaining walls are going to be installed.
13 Until somebody digs in for the retaining wall,
14 I'm not sure exactly what we have to do, most
15 likely what we have to do is when the retaining
16 wall is put back in, we would want to put in a
17 two-inch pink Styrofoam edge as well as root
18 pruning those trees; the way to protect those
19 trees when they are exposed here by the
20 retaining wall, is get that insulation in so
21 that wall doesn't heat up or cool down too fast;
22 if it does happen, the tree gets stressed. So
23 that may be the only thing we have to add to the
24 details is that two-inch pink Styrofoam.

1 CHAIRPERSON SCHLOSSBERG: Paul, I have a
2 question for you.

3 Do we have anything in our
4 ordinance, is there any kind of letter of credit
5 or anything for trees for a couple years after
6 installation?

7 MR. EVANS: Typically during the final,
8 the permitting process, we have conditions
9 dealing with tree preservation, especially
10 within 50 foot of a property line.

11 Mike Szymanski is here today, and
12 he is the one that oversees that process as far
13 as the permitting and make sure that there is
14 proper root pruning, tree protection involved in
15 those. So he's actually familiarized himself
16 with this too and -- yeah, and it would be
17 covered in our letter of credit too.

18 CHAIRPERSON SCHLOSSBERG: And it is
19 covered in there.

20 So staff, are you comfortable that
21 this issue has been addressed, or is there
22 something you'd like to --

23 MR. EVANS: Yes.

24 CHAIRPERSON SCHLOSSBERG: Okay, then are

1 there other questions about it? Okay, thank you
2 very much.

3 Now, Mr. Garlands, thank you.

4 MR. GANSZ: Commissioners, ladies and
5 gentlemen, my name is Ed Gansz, vice president,
6 Barrington Venture, 6000 Garlands Lane, Suite
7 120, Barrington, Illinois.

8 Allow me to open up with, and I
9 want to echo what Aziz said, we've had a number
10 of constructive meetings with the petitioner.
11 Also we've had a number of constructive meetings
12 with the staff. I think what you see in front
13 of you is significantly advanced from where we
14 were the last meeting.

15 Almost all of the issues from the
16 prospect of the Garlands have been addressed.
17 Allow me to address the ones that we feel still
18 require either clarification or some additional
19 commentary.

20 As I indicated at the last meeting,
21 in front of you, our concern stems from what
22 happens in our villas. These are our villas,
23 (indicating); and you may recall, each of them
24 have two units. On the back side is significant

1 living space, master bedroom, master bath, great
2 room, and we have a trellis deck; and our
3 concern at the outset was sitting downstream and
4 down a sight line from Hamilton Homes.

5 That led us to (1) address the
6 screening, which we did in front of you and in
7 narratives that I have sent to the Village, and
8 they have responded to it.

9 Joe Carr who was our landscape
10 architect will join you shortly just to give you
11 the ideas of why we chose 31 Douglas Firs, where
12 they are placed, and why there was some
13 significance to these four oaks relative to this
14 particular structure.

15 You will note that most of our
16 lines of sight face the short end of buildings.
17 Lot 6 is on an angle that basically faces down
18 the line, this particular line of sight.

19 And you will recall that we have
20 only shown you three villas, there are three
21 more that march down to the end of our property
22 line.

23 It was of significance that in the
24 original plan that Hamilton Homes have, they had

1 introduced I think four species of oaks. Joe
2 Carr, in our meeting with Aziz on the 4th of
3 April, produced this plan, we talked about the
4 ability to screen the back side of this house,
5 and we talked about the importance of why we use
6 Douglas Firs. And once again Joe Carr will
7 expand on those elements.

8 We feel it's very very important
9 that a number of things be accomplished. We do
10 want some screening along the back side of this
11 house. And we do want 10-foot trees, and we
12 recommend Douglas Firs. So that's of
13 significance to us.

14 Most of the overland flow, if not
15 all the overland flow issues have been
16 addressed.

17 Don Matthews, our associate from
18 Gewalt-Hamilton, our civil engineer, will
19 address perhaps just some editorial comments on
20 what remains.

21 One of the issues that he will
22 address is the change in grading as we go
23 forward.

24 In some of the correspondence to

1 the Village, there was a theme that was
2 introduced by Barrington Venture and was called
3 enduring protections. It was indicated by
4 Hamilton Homes that perhaps they would not build
5 all the structures here, not all, that perhaps
6 there would be other builders. A significant
7 amount of work from both the petitioner, from
8 Glendale, from Barrington, and from staff has
9 gone into advancing this particular development,
10 very positively.

11 Our observation was, once Hamilton
12 Homes perhaps walks away and there are other
13 developers in there, all we wanted to do is to
14 have something ensuring, the enduring
15 protections for this particular subdivision
16 relative to all the issues we talked about here,
17 relative to landscape, relative to overland
18 flows, relative to light spillage, and so on.
19 That's all we ask for.

20 What we would like to suggest is
21 that the CCR's be recorded simultaneously with
22 the final plat of subdivision. And we would
23 also like you to consider as part of this
24 ordinance this evening, that whatever

1 suggestions that you feel in your majority are
2 constructive, be committed to the declaration
3 that will be prepared, that will go in front
4 from the Village Board.

5 Basically they are our three
6 elements we talked about. And again, it is a
7 consistent need for the landscape plan to remain
8 very much consistent with the April 4th drawing
9 which Aziz directly addressed. We had unanimity
10 on this plan; in the Village's wisdom they chose
11 to change it.

12 Joe Carr is going to talk about why
13 we feel this plan at 10-foot heights with oak
14 trees behind structure 6 are very very important
15 to The Garlands in terms of the final effect of
16 screening that downward view into a master
17 bedroom, master bath, and great room, that we
18 get maximum impact of this screen to protect
19 those views, one neighborhood into the other.

20 I thank you for your time. Allow
21 me to introduce Joe Carr, Joe Carr & Associates,
22 our landscape architect.

23 MR. CARR: Good evening, ladies and
24 gentlemen. I'm Joe Carr, Joe Carr & Associates,

1 Chicago. And I just want to elaborate on what
2 Ed has just said, with regard to our reasoning,
3 why we proposed the plantings in the locations
4 that we have and what we proposed.

5 We have along our property line,
6 the entire property line there, from the, from
7 this site on down to the -- all of the trees on
8 our property line from this point on are
9 evergreens and they are all Douglas Fir down
10 here.

11 We also have, you see spaced out
12 and there's little gap in between each one on
13 our side of the property line. So we located,
14 we suggested location of Douglas Fir on this
15 side to expand what already is there and put
16 them in between the trees that we have on our
17 site, so we get complete closure and that's our
18 point and why we would like to do that.

19 If this project came along ten
20 years, 20 years later, the trees we already have
21 in place would be larger and they'd be fully
22 closed in together; but given the time that we
23 have right now, these trees don't grow that much
24 and so there are gaps in between. So we like to

1 have this closure there from our point of view.
2 So that's why we have these trees located as we
3 do here.

4 And we feel also that the
5 consistency of one tree type is important. I
6 know the Village is concerned about monoculture.
7 Mike, I know this is probably a concern that you
8 have, but you know how it is in nature, a tree
9 drops its seeds or trees drop their seeds, you
10 get a grouping of one type of plant in one
11 location, a group in another location. It's not
12 one of these, one of those, two of these, and
13 three of those. So we feel that this is rather
14 important here that we try to keep this all as
15 one species in this particular location.

16 The height is important as Ed said,
17 10 feet, much more important than an eight-foot
18 tree. We would like to have that height of
19 trees to begin with.

20 The oak trees that we propose right
21 here, Hamilton Homes has had oak trees on their
22 plans all along, a mixture of oak trees which is
23 fine; we like oak trees as well. They hold
24 their leaves in the winter and they are

1 effective year round as a screening element, but
2 they are also higher and because this unit will
3 be much closer to our units, we feel that the
4 oak trees will give a higher canopy effect,
5 further screening the upper height of this
6 building, above the evergreens until they grow.
7 So this will give an immediate effect for this
8 as well above the height of the evergreens.

9 Now where these trees go here can
10 be different from what we have shown but we feel
11 there should be about four, three or four trees
12 in this location in order to effectively get the
13 screening that we want. And this is the basis
14 of our reasoning for this.

15 MR. GANSZ: Allow me to introduce Don
16 Matthews, our civil engineer from
17 Gewalt-Hamilton to address the latest elements
18 of our presentation in front of you.

19 MR. MATTHEWS: As Ed said, I'm Don
20 Matthews, civil engineer with Gewalt Hamilton &
21 Associates in Vernon Hills.

22 My comments really go more toward
23 the future and I have two comments.

24 First, we're thankful for the

1 opportunity the Village has given us to read the
2 plans thus far; and we would like to be able to
3 review the plans and comment on the final
4 engineering plans when those become available.

5 More importantly we understand, as
6 Ed pointed out, there's a possibility that a
7 different developer may actually build homes on
8 these properties; and our concern is to make
9 sure that the information that's on the plans
10 now is carried forward and that is actually
11 built on the ground.

12 So we, what we request is that we
13 will be given the opportunity to review and
14 comment on any changes that are made to lots
15 that are adjacent to us, specifically Lots 6, 7,
16 and Outlot A, and that be given the opportunity
17 to review the lot grading plans when the actual
18 builder comes in to pull permit from the Village
19 of Barrington, thank you.

20 MR. GANSZ: Don just echoed the enduring
21 protections, again it's our same philosophy.

22 The Garlands is going to be asked
23 for certain easements, and we certainly are
24 willing to grant those easements. We would like

1 to grant those easements in conjunction with
2 our, Don's inspection of the final engineering
3 plans. And we would like to have that
4 opportunity. And we want to put that on the
5 table for everybody to understand.

6 Once again, we are concerned about
7 not only near term protections but future
8 protections and working those together we feel
9 that that protects our neighborhood and also the
10 neighborhoods of surrounding properties.

11 CHAIRPERSON SCHLOSSBERG: Can I just
12 clarify that before you sit down. We kind of
13 heard three issues from you, one is a
14 landscaping issue that involves the oak trees
15 versus -- and the monoculture, those two
16 issues --

17 MR. GANSZ: Yes.

18 CHAIRPERSON SCHLOSSBERG: (Continuing.)
19 -- one is concerns about the grading change,
20 having your finger on that into the last
21 minute --

22 MR. GANSZ: Yes.

23 CHAIRPERSON SCHLOSSBERG: (Continuing.)
24 -- and the third is concern about enduring

1 protections in the CCR's.

2 MR. GANSZ: That's correct.

3 CHAIRPERSON SCHLOSSBERG: And those are
4 kind of the three you want to be sure we
5 address.

6 MR. GANSZ: Yes.

7 CHAIRPERSON SCHLOSSBERG: Now, am I
8 correct, though, that would you satisfied on
9 points 2 and 3 if you can have some input on the
10 final grading --

11 MR. GANSZ: Yes.

12 CHAIRPERSON SCHLOSSBERG: (Continuing.)
13 -- and that the CCR's provide the protection you
14 are looking for.

15 MR. GANSZ: Yes.

16 CHAIRPERSON SCHLOSSBERG: Have you seen
17 the draft CCR's that are circulating?

18 MR. GANSZ: No.

19 CHAIRPERSON SCHLOSSBERG: There are
20 some?

21 MR. GANSZ: Not at this time.

22 What I have seen, and I think --
23 let me just address to Paul and Jim Wallace, in
24 the letter that we have seen there are certain

1 recommendations in there that clearly address --

2 CHAIRPERSON SCHLOSSBERG: Your concerns.

3 MR. GANSZ: The CCR'S.

4 CHAIRPERSON SCHLOSSBERG: Okay.

5 MR. GANSZ: We would like to see a copy
6 of those CCR's certainly for review.

7 CHAIRPERSON SCHLOSSBERG: So with those
8 two issues, if you had some input in those, the
9 real issue that remains to be considered besides
10 that will be the landscaping.

11 MR. GANSZ: That's correct.

12 CHAIRPERSON SCHLOSSBERG: There are no
13 fourth issues I'm missing here?

14 MR. GANSZ: And the other thing I might
15 mention and I think you alluded to this, we as a
16 neighborhood want to see the CCR's; potentially
17 our neighbors in Glendale want to see the same
18 CC&R's because they are also involved in
19 neighbor-to-neighbor relationships that will be
20 governed by the homeowner's association.

21 CHAIRPERSON SCHLOSSBERG: Okay. All
22 right, thank you very much. I just want to make
23 sure that my notes are clear for discussion.

24 I will say that the Hamilton Homes,

1 you will have an opportunity to reply at the end
2 to all these comments.

3 With that then I will open the
4 floor. Are there other members of the public
5 who would like to comment or present evidence?

6 Staff, is there anything else you
7 would like to say?

8 MR. EVANS: I guess we can touch on a
9 couple of points.

10 At the last meeting we didn't have
11 the CCR's homeowner's association documents.
12 Staff has received a copy of those and commented
13 on them. Now we do have as part of the record
14 that we submitted tonight the more final
15 version. We may have some additional changes as
16 a result of tonight to still add into there.
17 But basically now we have a, we think a decent
18 copy to show The Garlands and others that some
19 of the protections they are talking about will
20 be included in this, in the homeowner's
21 association documents.

22 CHAIRPERSON SCHLOSSBERG: Okay.

23 MR. EVANS: As far as the oak trees, I
24 guess we can get into that, but basically we

1 have our landscaper forester, Mike Szymanski
2 here that can answer questions regarding
3 placement of those trees from staff's position
4 and with our letter that we responded to The
5 Garlands regarding this issue.

6 I believe the four oaks are largely
7 in the back yard of Lot 6, and they largely use
8 up most of the usable area of the rear yard of
9 that property.

10 All the other landscaping that we
11 had along that north property line is in the
12 20-foot easement. This is largely outside that
13 20-foot easement, so it would be into largely
14 taking a lot of that property, especially if
15 those oaks had remained. It's typically, other
16 than what's in the easement is going -- would be
17 up to the individual lot owner. So if we were
18 create an easement with that, that Lot 6 is
19 reduced significant from having a rear yard.
20 And we were already provided with the conditions
21 of this is as 100 percent landscape screen and a
22 20-foot easement both along the east -- excuse
23 me, west property line and north property line.

24 So -- and along the north, as

1 indicated or as requested by Garlands, whatever
2 is planted in there as far as 100 percent
3 screening, that's what the homeowner's
4 association is going to maintain. But outside
5 that area it's staff position is it seems like
6 that's a little over what we normally would
7 require and it really impacts if you were buying
8 Lot 6 of having four oaks in their yard.

9 If they have no objection to it, we
10 think it's great, if the owners would like to
11 plant oaks on their property; but as far as
12 mandating that they have the oaks on that
13 property and they must maintain them, we think
14 that's a little bit over what we normally
15 require.

16 CHAIRPERSON SCHLOSSBERG: You will get
17 your chance, I promise.

18 Commission members, would you like
19 to just move into the Mr. Schmansky's
20 presentation and then come back to --

21 COMMISSIONER EHRLE: I have a couple
22 questions.

23 CHAIRPERSON SCHLOSSBERG: Okay.

24 COMMISSIONER EHRLE: Paul, this issue of

1 enduring protection, how do we make sure that
2 the plans that we're reviewing are maintained
3 when the ownership changes to other people other
4 than Hamilton Homes?

5 MR. EVANS: We will as a part of this
6 document approve an ordinance which eventually
7 approves the final engineering plans for this
8 property.

9 There is a number of conditions
10 that we talked about that we are going to put
11 into the CCR's, and that probably is a
12 reasonable recommendation, that we record the
13 homeowner's association documents along with the
14 ordinance for this property that provides some
15 enduring protection. I think that's a
16 reasonable request. But the rest of it is any,
17 like any other property, we have final
18 engineering plans, we have the engineering
19 plans.

20 Staff is open to the idea of having
21 The Garlands and other people review or at least
22 comment on the plans. But, so it's basically
23 the protection of whatever you are approving,
24 that's the concept of what we are approving, and

1 I guess that we stand as staff accountable for
2 any changes in those plans that we do not find
3 to be in keeping with Village standards.

4 COMMISSIONER EHRLE: Yes, I just want to
5 be sure because I'm aware of another development
6 where if the ownership changes from what
7 Hamilton Homes agrees to, the legality changes.
8 I just want to be sure that we can protect
9 against that.

10 MR. EVANS: Yes. I think for the most
11 part, most developers, especially in a single
12 family situation, they are going to come in,
13 develop the streets, the lots, the overall
14 drainage of the property; and then as it's set
15 up there's a homeowner's association which is
16 the documents that The Garlands and others have
17 a chance to review and look at, and comment on;
18 but those are the protections that most of the
19 other single family subdivisions that, that's
20 their enduring protection.

21 COMMISSIONER EHRLE: Okay. The
22 homeowner's association by-laws, which I went
23 through in detail, what -- they have
24 responsibility for protecting, making a lot of

1 these agreements happen or continuing to be
2 happening. What is the protection that this
3 homeowner's association will get formed or is
4 there any way to ensure that it will be formed,
5 what happens if the development takes place over
6 five years, how are we ensured that all these
7 agreements in the, this homeowner's association
8 will be maintained.

9 MR. EVANS: I have a feeling that there
10 will be some neighbors of interest on this. And
11 the Village has the right, but we maintain not
12 necessarily the responsibility to enforce this,
13 and in the sense of a legal requirement. So
14 this as being recorded and associated with our
15 ordinance, recorded on the property, et cetera;
16 the association, if they don't maintain that,
17 the Village has the right to come in and help
18 enforce that in whatever sort of manner that we
19 choose to do that, if it's notifying them, if
20 it's, depending on the severity of the
21 situation, whether we have to come in and
22 correct something and bill the homeowner's
23 association, but that's the, in general the
24 protection is that there's legal protection of

1 the property, and the Village has responsibility
2 to follow up on that, obviously, and if
3 neighbors or others of the Village becomes aware
4 of issues of concern on the property.

5 COMMISSIONER EHRLE: Okay.

6 CHAIRPERSON SCHLOSSBERG: And I want to
7 just clarify.

8 The Garlands indicated they would
9 feel better if these were recorded. Aren't
10 they -- I don't know our ordinance, again I
11 forgot to bring it, but aren't they routinely
12 recorded as a matter of course in final
13 planning?

14 MR. EVANS: I'm not 100 percent sure of
15 that. It's in our ordinance but it's probably
16 an extra protection that they are actually
17 recorded. So I'll have to ask our Village
18 attorney about. But I think that's an extra
19 precaution that we could --

20 CHAIRPERSON SCHLOSSBERG: Would you have
21 any objection to adding that --

22 MR. EVANS: No.

23 CHAIRPERSON SCHLOSSBERG: I mean it's
24 pretty routine in communities where they record

1 the CCR's, because that way any future land
2 owner knows exactly what they are getting. I do
3 think it's --

4 MR. EVANS: I think that's a reasonable
5 request.

6 CHAIRPERSON SCHLOSSBERG: So we can add
7 that and the CCR's will be recorded.

8 Other questions for staff before we
9 hear from our forester? Any there questions for
10 any of the speakers? I promise you'll get your
11 chance.

12 Okay, then would you like to -- oh,
13 you did, I'm sorry.

14 COMMISSIONER HOGAN: Yes. Actually I
15 was just curious in terms of preserving the
16 right to review for The Garlands of the actual
17 construction plans, could that be a condition
18 which we add in?

19 MR. EVANS: What was that, what was your
20 question?

21 COMMISSIONER HOGAN: In terms of their
22 reserving the right down the road to look at the
23 engineering plans when permit applications are
24 made, so is that something that would be a

1 condition in your view?

2 MR. EVANS: I wouldn't say that. I
3 would say it's more of a courtesy.

4 I think typically we don't see the
5 authority review to other bodies to say, such as
6 we saw earlier this year, Barrington Hills had
7 requested the Village to review any changes on
8 Stratford; and while the Village as a courtesy
9 has no problem to comment, the final decision
10 rests with the Village.

11 CHAIRPERSON SCHLOSSBERG: Other
12 questions?

13 MR. SZYMANSKI: Mike Szymanski, forester
14 for the Village of Barrington.

15 I just want to address the
16 screening issues, and specifically I know that
17 we worked in great detail with the Garlands over
18 a several year process to get the, to get that
19 project completed and it turned out great.

20 With that said it's always been my
21 conviction to not, either not allow monoculture
22 or to try to limit it. And with that said, as
23 we kind of work through the process, and Joe
24 knows we did work through the process, where we

1 recommended that diversification of evergreens
2 used as a screening, plant material for the
3 periphery areas of The Garlands, it was their
4 desire to plant Douglas Firs, really for the
5 most part I think for uniform, a uniform look,
6 and they assume that responsibility.

7 The problem and issues that I
8 wrestle with and deal with daily is monoculture
9 plantings are susceptible to insect disease,
10 disease and other pathogens that are specific to
11 that plant. If it wipes them out, they're going
12 to lose everything.

13 So what we I believe is a good
14 compromise is to allow Hamilton Homes to
15 install, while it's a different species, it is
16 still uniform. It might be different than the
17 Doug Firs certainly but it does provide a
18 uniform look; certainly not exact to the Doug
19 Fir but uniform in look and does a great job, I
20 think as everybody agrees, in screening the
21 area.

22 So I think that addresses that
23 issue unless anybody has a question on that.

24 The oaks --

1 COMMISSIONER McCAULEY: Can I just
2 understand?

3 MR. SZYMANSKI: Yes.

4 COMMISSIONER McCAULEY: So the issue is
5 really between two different kinds of, what I'll
6 call pine trees?

7 MR. SZYMANSKI: Well, I would say
8 evergreens. I mean they're not evergreen --

9 COMMISSIONER McCAULEY: Okay.

10 MR. SZYMANSKI: Again, you try to limit
11 the exposure that both entities have on a
12 specific pathogen, specific entity that would
13 potentially wipe those out. So that's why we
14 are making that recommendation.

15 The oaks, again I think Paul
16 addressed that.

17 The other issue is, bluntly to
18 cramp four or five trees into a pretty small
19 area, that will overcanopy the evergreens; our
20 fear is those evergreens aren't going to develop
21 because they are going to be shaded out. I just
22 don't think it's a smart move.

23 I think the other things, install
24 possibly along The Garlands property closer to

1 the villas themselves actually to get that
2 screen right up there. I don't know, we haven't
3 really looked at that; but again that's my issue
4 with trying to put that many oak trees, I mean
5 oak trees can have a 50-foot span. If you look
6 at the dimensions, that's about a planting
7 dimension, the canopy of the tree that's
8 illustrated. When we open that up to 50 feet,
9 it's going to take over everything, the house,
10 the evergreens, and we are trying to get there
11 to establish the screening. So I guess I don't
12 think it's a prudent thing to do from a
13 screening standpoint.

14 That's it on that, on the evergreen
15 issue or screening issue, unless any of the
16 Commissioners have questions.

17 COMMISSIONER EHRLE: Mike, the height of
18 evergreens that are being proposed, is that
19 acceptable to everybody?

20 MR. SZYMANSKI: I believe, I think they
21 were looking for 10 feet, and it went back and
22 forth and I believe they consider six or a
23 10-foot plant material, that's more than
24 acceptable. I believe also to the Garlands.

1 CHAIRPERSON SCHLOSSBERG: Questions?

2 Okay, thank you.

3 MR. SZYMANSKI: Thank you.

4 CHAIRPERSON SCHLOSSBERG: Commissioner
5 members, I'm going to give the applicant an
6 opportunity to sort of offer rebuttal or
7 response to anything you have heard, nothing
8 new, please, if you can help it.

9 MR. SIDDIQUI: Only two comments I have
10 of what Ed brought up.

11 The height of the evergreens will
12 be 10 feet, because the plan he had seen was
13 eight feet, that's why he brought up the height
14 of that.

15 Our position, Hamilton Homes'
16 position is that we would follow, and we not
17 only what the Village is saying but if there is
18 anything else we could do to satisfy our
19 neighbor, we would love to do that. I mean we
20 are -- what we are saying that, if there is
21 somewhere in between, if we can do four oaks,
22 two oaks and still maintain the integrity and be
23 able to achieve what we are trying to achieve,
24 we are willing to do so. And we can incorporate

1 that as a part of our final submittal. So our
2 position is we will do whatever the
3 recommendations are. I'm not the expect but we
4 will certainly follow that. That's all.

5 CHAIRPERSON SCHLOSSBERG: Did you want
6 to respond on any of the other issues that have
7 come up?

8 MR. SIDDIQUI: No, thanks.

9 CHAIRPERSON SCHLOSSBERG: Then, in a few
10 minutes we are going to close public comment but
11 do any of you have any other questions for
12 people on the floor before we do that?

13 COMMISSIONER EHRLE: I would ask Mike, I
14 should have asked him, one of the
15 recommendations is that the petitioner make a
16 payment of \$20,500 to the Village of Barrington
17 in lieu of planting the required number of
18 replacement trees. It said, the Village
19 forester shall verify the tree replacement cost
20 and quantity be installed with the petitioner.
21 What if it comes out to be 30,000?

22 MR. SZYMANSKI: What happens if it
23 becomes 30,000, I mean I think -- well, I think
24 what we need to do in final engineering as

1 typically the case is, we determine those
2 numbers when we get down to exactly what's
3 coming out and exactly what they are proposing
4 to install; again very similar to the Garlands'
5 proposal. Some of the plant material they were
6 proposing was either in an evergreen form or in
7 a multi-stem or ornamental form that typically
8 is calculated on a direct caliper inch, which is
9 how our ordinance reads so we need to do some
10 calculations on that.

11 We believe generally that
12 approximately 20,500 will cover the balance; but
13 again, until the final plans are installed and
14 we can get some exact measurements and
15 calculations, we will know that figure exactly.
16 We don't expect it to go from 20,500 to 30,000.

17 COMMISSIONER EHRLE: Right. But it
18 could vary?

19 MR. SZYMANSKI: It could very, and I
20 would actually anticipate it to very slightly.

21 CHAIRPERSON SCHLOSSBERG: Thank you.

22 And then it looks like we have one
23 more person. Did you want --

24 MR. LYNAM: I just want to respond to

1 some of the legal issues that came up.

2 First of all as Commissioner
3 McCauley pointed out, I think a lot of this
4 discussion is about two different kinds of pine
5 trees.

6 Hamilton Homes is happy to
7 stipulate tonight that whatever the decision is
8 between the Village and our friends, the The
9 Garlands, we are happy to comply. There is no
10 issue here.

11 The CCR's, we intended on recording
12 those regardless of any discussion tonight.
13 They can recorded simultaneous with the final
14 plat, we have no objection.

15 I understand the issue about
16 reviewing any changes to the Lot 6 and 7 and the
17 outlot. We do not intend that there would be
18 any changes; I tend to doubt that there could be
19 any; but if there is, any concern on the part of
20 the Garlands, we are be happy to stipulate to
21 that as well.

22 And with regards to the oaks, I
23 think the only possible point we would like to
24 have a little bit more thought put into that, is

1 this location of this fourth oak (indicating),
2 which does tend to sit right in the back yard of
3 the person that's going to own that lot. But
4 again, we all strongly feel about this; and if
5 the staff feels that it's appropriate, we have
6 no objection, we will stipulate to whatever the
7 end result of that discussion will be.

8 And I think that is in fact all
9 the issues that were brought up during the
10 comments.

11 CHAIRPERSON SCHLOSSBERG: Thank you.

12 Okay, then, I am going to close the
13 public comment session of this and I'll
14 entertain a motion from --

15 MR. EVANS: Just information on, a
16 little bit of follow up with what Mr. Lynam said
17 is, while staff's recommendation is not to
18 require the oaks, if that's something voluntary
19 by, between Hamilton and Garlands, staff would
20 not have an objection to it; but what we want to
21 make clear is whether that's placed in an
22 easement or not, is whether that will be
23 protected. In other words, the owner comes in,
24 we can say plant four; but if they are not in

1 the easement protected by the homeowner's
2 association, then they are just planted and if
3 another, the owners switch and they want to tear
4 down the oak, you know, so be it. So that's
5 what we are saying, there's a difference. And
6 eventually it just needs to be clarified.

7 If it is shown in the easement, and
8 they work it out, that's great; but if not, if
9 it is not in the easement, then we are going to
10 say it is up to the single-family homeowner to
11 decide whether they want to keep the oak or they
12 want to take it down.

13 CHAIRPERSON SCHLOSSBERG: Thank you.

14 Okay, with that then I'll close
15 public comment and entertain a motion from a
16 Commissioner. Do I have a motion? Any old
17 motion you would like, preferably one about this
18 development, huh?

19 COMMISSIONER EHRLE: I can take a crack
20 at it.

21 CHAIRPERSON SCHLOSSBERG: Okay, go
22 ahead.

23 COMMISSIONER EHRLE: I move that we
24 except the recommendations of the Village staff

1 with regard to the Hamilton Court subdivision
2 and that the proposals for the stormwater, all
3 the features of the property be recorded on the
4 CCR's at the appropriate time.

5 CHAIRPERSON SCHLOSSBERG: Thank you. Do
6 we have a second?

7 COMMISSIONER McCAULEY: I second it.

8 CHAIRPERSON SCHLOSSBERG: Thank you, I
9 have a second.

10 Discussion? Does anyone have any
11 opinions about this?

12 COMMISSIONER McCAULEY: Yes.

13 CHAIRPERSON SCHLOSSBERG: Yes.

14 COMMISSIONER McCAULEY: The enduring
15 protections, are they part of the
16 recommendations, could you point that out to
17 me?

18 MR. EVANS: The enduring protections
19 will be a homeowner's association document, the
20 CCR's.

21 COMMISSIONER McCAULEY: Yeah, with the
22 recommendations, so that's covered in the
23 recommendation?

24 CHAIRPERSON SCHLOSSBERG: Is there

1 anything specifically though that says, the
2 CCR's -- I'm guessing it's in the ordinance but
3 we could just add that, if you want to be clear,
4 the CCR's will be recorded simultaneously
5 with --

6 MR. EVANS: I was going to add that, you
7 know, make it clear that they record it as part
8 of the final plat.

9 CHAIRPERSON SCHLOSSBERG: You can always
10 move to amend your motion, if you would like.

11 COMMISSIONER EHRLE: So moved. I would
12 be glad to amend the motion that the CCR's be
13 recorded as part of the final plat.

14 CHAIRPERSON SCHLOSSBERG: Is that all
15 right with the second?

16 COMMISSIONER McCAULEY: Sure.

17 CHAIRPERSON SCHLOSSBERG: Okay, we have
18 a new amended motion on the floor to discuss.

19 Okay, if there is no discussion,
20 then can you call the roll on that motion.

21 MR. EVANS: Commissioner Ehrle?

22 COMMISSIONER EHRLE: Yes.

23 MR. EVANS: Commissioner McCauley?

24 COMMISSIONER McCAULEY: Yes.

1 MR. EVANS: Commissioner Patsey?

2 COMMISSIONER PATSEY: Yes.

3 MR. EVANS: Commissioner Hogan?

4 COMMISSIONER HOGAN: Yes.

5 MR. EVANS: Chairperson Schlossberg?

6 CHAIRPERSON SCHLOSSBERG: Yes.

7 Thank you all, thank you all for
8 playing nicely together. It's a nice model. We
9 appreciate it.

10 Okay, we'll give our residents a
11 second, for the room to clear.

12 (WHICH WERE ALL THE PROCEEDINGS
13 HAD REGARDING PC 05-07 HAMILTON
14 COURT OF BARRINGTON
15 SUBDIVISION.)

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I, Carla P. Letellier, a Certified Shorthand Reporter of the State of Illinois, CSR No. 084-003315, do hereby certify that I reported in shorthand the proceedings had in the aforesaid matter, and that the foregoing is a true, complete and correct transcript of the proceedings had as appears from my stenographic notes so taken to the best of my ability.

CERTIFIED SHORTHAND REPORTER

PUBLIC MEETING

ORIGINAL

PLAN COMMISSION MEETING
VILLAGE OF BARRINGTON

NEW BUSINESS: PC 06-03 COOK STREET PLAZA
(PLANNED DEVELOPMENT AMENDMENT)

* * *

Barrington Village Hall
200 South Hough Street
Barrington, Illinois

* * *

Tuesday, May 23, 2006
7:00 p.m.

LAKE-COOK REPORTING
(847) 415-2553

PUBLIC MEETING

Tuesday, May 23, 2006

7:00 o'clock p.m.

RE: Cook Street Plaza

PLAN COMMISSION
VILLAGE OF BARRINGTON

* * *

Held on Tuesday, May 23, 2006, commencing
at the hour of approximately 8:15 p.m., at the
Barrington Village Hall, 200 South Hough Street,
Barrington, Illinois.

PLAN COMMISSIONERS PRESENT:

Ruth Schlossberg, Vice Chairperson
John Patsey, Commissioner
Richard Ehrle, Commissioner
Dan Hogan, Commissioner
Ed McCauley, Commissioner

ALSO PRESENT:

Jim Wallace, Director of Building and Planning
Paul Evans, Assistant Director of Planning

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CHAIRPERSON SCHLOSSBERG: The next item
of business is PC 06-03, Cook Street Plaza
planned development amendment for 100 East
Station Street. This is a new hearing, so we
will call that hearing to order, and begin by
asking, has this hearing been published and
notice given?

MR. WALLACE: Yes, staff has record of
it. We gave notice in the newspaper and we
received copies of notice to the neighbors.

CHAIRPERSON SCHLOSSBERG: Okay, thank
you.

I guess the second thing I'll need
to do is ask anyone who might be testifying
tonight -- there's only a few people left now,
if you can rise your right hand, and affirm that
the testimony you're about to give is the truth,
the whole truth, and nothing but the truth?

MR. BRAITHWAITE: I do.

CHAIRPERSON SCHLOSSBERG: Thank you very
much, then please, it's all yours -- unless
staff, do you have anything you want to say to
begin with?

All right, I'm sorry, I beg your

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1 pardon. We'll start with a presentation by the
2 staff.

3 COMMISSIONER McCAULEY: Can I say one
4 thing real quick.

5 CHAIRPERSON SCHLOSSBERG: Oh, yes, I
6 forgot. I'm sorry, Commissioner McCauley wanted
7 to put something in the record.

8 COMMISSIONER McCAULEY: I just wanted to
9 mention that before we get started, I do not
10 believe I have a conflict of interest here, but
11 I ought to mention a couple of things.

12 Besides being on the BBA Board with
13 Bill Braithwaite and knowing him in the Village
14 and besides having a business that is just a
15 block from Cook Street Plaza and hasn't been
16 directly impacted by him, my business, McCauley
17 Design, was in discussions with Ben Borkin
18 (phonetic) the architect on this project, to be
19 on the short list of people who would be
20 recommended to prospective condominium
21 purchasers to help them with the design of their
22 kitchens and the provision of their cabinets.

23 There have, there's been no
24 contract. We have not worked with any of the

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1 homeowners. There is been no promise given,
2 favors received or expected. I do not perceive
3 that I have a conflict of interest in this
4 matter, but I do think it is appropriate for me
5 to put these facts on the record so if everybody
6 among the public, staff, or the Commission
7 thinks that it's an issue that should be raised,
8 you have an opportunity to do so.

9 CHAIRPERSON SCHLOSSBERG: Thank you,
10 Commissioner.

11 Anyone want to comment on that
12 before we begin?

13 MR. WALLACE: Well, typically as a
14 neighbor and as a fellow member of a civic
15 organization there would certainly be no
16 conflict if you had contractual matters with the
17 petitioner.

18 COMMISSIONER McCAULEY: Yes, there are
19 no contractual matters.

20 CHAIRPERSON SCHLOSSBERG: Thank you very
21 much for that. Okay, then we will begin with
22 staff, if there are no objections, Mr. Wallace?

23 MR. WALLACE: Thank you. Ben Borkin,
24 the project manager and architect had planned on

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1 making the presentation tonight, unfortunately
2 he had a medical emergency and is unable to
3 attend.

4 Mr. Braithwaite is available to
5 answer your questions. He may not be able to
6 answer many of the technical, structural, or
7 architectural type questions involved, that I
8 have been over this petition repeatedly by with
9 Mr. Borkin. And so I think I would be able to
10 answer any technical questions you may have.

11 In overview, as you may be aware,
12 this project was first heard by the Plan
13 Commission in 2002 and approved in June of that
14 year by the Village Board for a planned
15 development.

16 The original proposal had a 104
17 parking space -- or I'm sorry, 98 parking spaces
18 in three levels of above ground construction,
19 first floor being retail and office uses, with
20 two floors are condominiums above.

21 The development has been
22 constructed essentially as approved. There was
23 an amendment to this development that increased
24 the number of parking spaces to 104. And a few

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1 other technical amendments were made.

2 The latest amendment proposed is to
3 seek an exception for four, a total of four
4 substandard parking spaces, two of them will be
5 in the public garage, which is in the first
6 underground level; two of them will be in the
7 private level, which is the second underground
8 level.

9 The amendment proposed also it
10 includes the substandard drive aisle there, this
11 is the north/south drive aisle at the, both
12 levels, the public level and the private level
13 of the garage.

14 And then finally one of the
15 purposes of this petition is to clarify the
16 heights. The heights originally called out in
17 this approval were based on essentially the
18 corner of Cook and Station streets as being
19 grade zero.

20 On further review and checking
21 actually as part of this petition, we discovered
22 that really the zoning ordinance will determine
23 grade based on the average, as you proceed from
24 that point at Cook and Station westward along

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1 Station Street.

2 What this does is result in a
3 higher zoning ordinance called out height. The
4 project has been built exactly as approved and
5 exactly to the elevations depicted in the
6 approved plans.

7 So we just wish to clarify the
8 actual height of this structure.

9 It was anticipated at one point
10 that this petition would also include a need for
11 height exceptions for the rooftop mechanicals
12 and their associated screening.

13 As we reviewed closely on the
14 petition, we believe that the proposed rooftop
15 mechanicals and screening do not require height
16 exception because they are under 48 feet from
17 the predevelopment grade, and the maximum height
18 allotted to this building is 38 feet with an
19 additional 10 feet allowed for rooftop
20 mechanicals. So we believe that the rooftop
21 mechanicals as depicted in the exhibits do meet
22 your ordinance need for a height exception.

23 The final purpose of this petition
24 is to clarify the signage that is proposed for

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1 the Village. You may recall that originally the
2 signage was depicted and that was approved as
3 presented in the exhibits with the general
4 caveat that any other details of the signage
5 must conform to the zoning ordinance.

6 We have discovered a few things,
7 and the petitioner frankly has revised their
8 plans due to experience and I haven't had time
9 to think about this, and through conversations
10 with some of the tenants that have come into the
11 development, what the result of that is you have
12 a much more detailed sign plan presented in the
13 exhibits tonight.

14 And so it's basically the same
15 technique as what we would agree with the
16 petitioner in the proposal which is to say that
17 the signage would be substantially as depicted
18 in the exhibits; anything beyond the exhibits
19 would require either compliance with the zoning
20 ordinance or another amendment to the planned
21 development.

22 The key changes here in the signage
23 are there is a tenant identification sign called
24 for on the Cook Street elevation of the

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1 building. There is a commemorative sign called
2 for on the Station Street next to the plaza.
3 There are banners proposed on the light fixtures
4 within the plaza, and the tenant sign spaces are
5 clarified, the number of tenant signs allowed
6 are clarified in the location of the Cook Street
7 logo units is clarified. That's really a
8 summary of this petition.

9 I would say from a technical
10 standpoint what happened by way of the request
11 for the exceptions for the parking stall and
12 parking spaces is that as the garages were
13 essentially expanded and redesigned to
14 incorporate the higher number of spaces than
15 what is originally approved, due to the
16 structural loads imposed from above, we need the
17 columns, and the spacing of those columns, and
18 the need to maintain a handicap accessible
19 height which is eight foot, two inches, which
20 prohibits certain depth of columns from
21 occurring.

22 The, some of the drywall ended up
23 being a little bit squeezed in by the need for
24 columns. And the intervals, the associated

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1 spacing of the columns, resulted in two spaces
2 within each area that are substandard.

3 Staff reviewed those substandard
4 spaces and in our report does have some
5 recommendations as to signage on them and
6 appropriate marking for them as well as a
7 provision of powers for physical protection.

8 We also had the benefit of some
9 experience now with the development. That
10 garage has been open for some time now and the
11 spaces in question had in fact been used
12 actually by full-sized cars.

13 Staff personally checked out the
14 spaces and parked their full-size Village
15 inspection vehicle in the compact car space that
16 we are proposing to designate for the
17 substandard space and had no problem getting in.
18 So staff is very comfortable with that proposed
19 exception.

20 If you have any other questions, we
21 are available.

22 CHAIRPERSON SCHLOSSBERG: Do you have a
23 question?

24 COMMISSIONER PATSEY: Yes. In the

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1 report there is a mention of like a Hough Street
2 sign?

3 MR. WALLACE: Yes, thank you for
4 bringing that up. It also reminds me I wanted
5 to talk to you about the landscaping that we're
6 talking.

7 Staff and the developer have had
8 discussions as the development is being
9 constructed about the installation of a sign at
10 the entrance from Hough Street, that's right
11 behind the Gallagher Building, that western
12 entrance to the plaza area.

13 We believe there is an opportunity
14 to put some signage there. We really do need to
15 see the final construction of how that plaza is
16 going to occur, how the curb cut will work, and
17 how the refuse collection areas and how the
18 landscaping will work, so we believe it might be
19 very beneficial to the public to have a sign
20 that says, Cook Street or Plaza entrance.

21 And we propose and the petitioner
22 has agreed that we make an allowance for this to
23 occur subject to the approval of the Village
24 manager and the architectural review commission.

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1 And one of the facts that you'll
2 notice from our staff report is quite a bit of
3 we recommend that you approve certain concepts
4 subject to final review by the architectural
5 review commission and the Village manager.

6 And if I can take just a moment, I
7 would like to show you some things about the
8 landscaping.

9 The landscaping plan that you see
10 is very close to the exhibit in your packet, the
11 petitioner's exhibit. This is the landscaping
12 as most recently proposed.

13 The landscaping you may have
14 noticed was installed recently. It was
15 installed somewhat over the expressed intent of
16 the developer and the Village so we anticipate
17 there will need to be some changes in what you
18 see installed today unfortunately.

19 The petitioner authorized, the
20 Village authorized the petitioner to authorize
21 the landscape contractor to at their own risk
22 install this landscaping, which is adjacent to
23 the Francesca's Restaurant, and then some of the
24 landscaping associated with the Main Street

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1 buildings that border the plaza. The idea was
2 we knew this landscaping plan would need some
3 changes for a couple of reasons; and so we
4 didn't want to authorize any landscaping prior
5 to approvals through the Plan Commission,
6 Architectural Review Commission and the Village
7 Board until all the details have been worked
8 out, and there are some physical details that
9 really are going to affect what can be done in
10 the long run.

11 As I said this is the plan that is
12 essentially what is in your petition, and we
13 have asked that the exhibit associated with this
14 ordinance be updated to reflect changes because
15 it's very different from the originally approved
16 plan which had much less planning and more,
17 frankly more paved spaces, it had a fountain as
18 a public feature.

19 The reality of the development as
20 its occurred and as the third-party parcel
21 agreements have been worked out with adjacent
22 property owners, has dictated that that plan
23 must change.

24 So -- and we were trying to work

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1 out that refuse collection as well, and we
2 believe that the modified plan as it finally
3 turns out, provided it's approved by the
4 Architectural Review Commission and the Village
5 manager will achieve the same goals of providing
6 some public space as well as beautification for
7 the entire area.

8 The of note here is really refuse
9 collection. One of the big changes that's
10 occurred since the original planned development
11 is that this area right here you see you see is
12 dedicated for a compactor. The garbage and
13 refuse loads I should say, the recycling loads
14 from all these businesses in here and in
15 particular Francesca's restaurant and the
16 adjacent businesses which will rely on refuse,
17 unified refuse collection, are such that we
18 believe a compactor is necessary in order to
19 handle the load, to contain the load, the
20 compactors are closed in, closed top. And it
21 offers a means for adequately assessing the fees
22 for garbage collection because it's operated by
23 a fee card system. So you are able to prorate
24 everyone's share of this cost that way very

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efficiently.

The compactor will essentially sit in an area that will be screened not only by landscaping but we are also proposing a structure, that's the additional sheet I passed out at your places tonight. The detail of the proposed structure is located on the upper left corner of that sheet.

Essentially we believe that some sort of vertical cedar board enclosure or lattice top would provide screening beauty, but not be overwhelming or overpowering; because we are concerned that the compactor itself, which is eight feet tall, detracts from the openness from the plaza and the feeling of access to the plaza.

One thing that's also changed from the original plan is the two large transformers that you see here from Commonwealth Edison. We originally hoped that there would be one transformer to be located almost immediately adjacent to the northwest corner of the building. ComEd was unable to do that for technical reasons. So we were faced with the

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situation of the two large transformers and also it's close to the building as the developer and staff had hoped they would. And so there's going to be obviously the need for some additional screening around those.

What staff did is upon receipt of this plan from the petitioner, proposed some changes, and the petitioner is redrawing their plans. We are still, it's really kind of a work in progress.

And I would like to show you, give you just a very brief overview of what it is we are proposing.

Our idea is that the compactor needs to be moved as far south as is reasonable to leave a clear pathway and sight line into the plaza from Hough Street.

Commissioner Patsey talked about the Hough Street sign. You will notice here on the Hough Street entrance, the first thing called for is a grease enclosure because of the restaurants. We believe there might be some sort of a wall there, somewhere in here will be the opportunity for that sign. But we want to

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see how the enclosures and associated landscaping works out before we really finalize that or it might not be a feasible thing to do.

Staff also believes that we need to have a wider walk along the north edge of the plaza than is currently in place and proposed. What's proposed and in place right now is a four-foot wide walk. We believe it needs to be a minimum of six foot wide for comfortable traffic, two-way traffic, pedestrian traffic.

We also think that due to the two air conditioning units associated with the small addition on the Bread Basket building here, there needs to be substantial landscape screening here. And in order to accomplish a very easily navigated and logical transition between the east and north ends of the plaza, there needs to be more of a straight shot, a diagonal connection of some sort.

Also we believe that the walkway in the vicinity of the Bread Basket addition needs to be moved out just a little bit; the way it's built today it is very tight, and traffic coming out of the Bread Basket we believe may conflict

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with the traffic in the plaza.

Much of the rest of this part of the plan that we have been conceptually working on is very similar to what is proposed currently. And so what we are talking about is maybe some fine tuning of the plan that the petitioner has submitted.

We would ask that in our recommendation that the final ordinance be, an updated exhibit of this be attached to the final ordinance to replace the exhibit you currently have which is, which you currently have in your ordinance, which is not at all accurate today.

We still have to work out these things. I know we have had discussions with Mr. Borkin and with Pepper Construction and staff and Groot Disposal Company to try and come up with a plan that we can all agree on.

CHAIRPERSON SCHLOSSBERG: Can I ask a question while you are there?

MR. WALLACE: Certainly.

CHAIRPERSON SCHLOSSBERG: Under the revised plaza plan in your report you also say, "Please note the planter boxes in the right of

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way on either side of the garage entrance," and you ask the petitioner to provide and maintain these to eliminate a hazardous condition of the garage entrance. What, can you just -- I don't understand.

MR. WALLACE: Yes. Where the vehicles exit the garage --

CHAIRPERSON SCHLOSSBERG: Yes.

MR. WALLACE: (Continuing.) -- the public walk that comes on either side of the garage there's a, an accessible ramp at the end of that walk for handicap access. That ramp comes out a little bit away from the edge of the building to keep -- and the intent was, was that this really essentially like a curb cut here, curb crossing, the intent is to get people just a little bit away from the building so it is a little safer situation.

Unfortunately that what that leaves you with is kind of a drop off in the first three feet of that walk that's right up against the building. And so we actually had some people stumble over that drop off.

And so simply adding planters as

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depicted here will solve that problem.

CHAIRPERSON SCHLOSSBERG: Thank you.

COMMISSIONER McCAULEY: Can I reveal yet another level of personal interest in this.

I have an interest in the building at 115 South Hough, which is on the plan that Jim has just been showing us, is the building outlined in blue in the upper left-hand quadrant of that plan.

And let me ask you a couple of questions. The one thing that comes to mind right away is the compactor. Did you say that the compactor would be serving only the Cook Street Plaza tenants?

MR. WALLACE: It will serve --

COMMISSIONER McCAULEY: The compactor, is that to serve only Cook Street Plaza tenants at this point?

MR. WALLACE: No, it also serves the Main Street and Park Avenue tenants, north and east of the development.

COMMISSIONER McCAULEY: The Main Street and Park Avenue -- I'm just getting it straight, okay, the Main Street and Park Avenue tenants.

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How about the Hough Street, may I ask, the Main Street and Park Avenue tenants or businesses?

MR. WALLACE: I'm sorry, properties, in general, yes.

COMMISSIONER McCAULEY: Businesses.

How about the Hough Street properties?

MR. WALLACE: I'm not clear on what the extent of service for Hough Street properties will be in that compactor.

As you may be aware currently the alley between Cook Street Plaza and the Hough Street properties has several toters.

COMMISSIONER McCAULEY: Right.

MR. WALLACE: And those appear to be handling the load; we would like to eliminate some of those toters, if possible.

COMMISSIONER McCAULEY: Is there anything about the compactor's capacity that would prevent that? Would the -- if you know, would the compactor be adequate to handle all of the properties including Hough Street?

MR. WALLACE: I believe it would.

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Our key consideration, and it's -- it's intent -- I certainly can speak for Ben Borkin is that his intent is that is intended to handle all of those properties.

The issue we have with the compactor and the capacity in general is that they don't empty that compactor on Sundays. And you have the restaurants being served by this compactor, obviously have weekends as one of their big times where they generate some of the largest amounts of refuse, so everything has to be designed to handle two days of revenues without collection.

COMMISSIONER McCAULEY: I think it would certainly be an advantage to the people on Hough Street, emphasizing that I'm one of them, who, to get rid of the toters in the back because what we have created is a halfway decent looking little alley back there and it might have commercial potential as time goes by.

MR. WALLACE: And I can speak for the developer, confidently speak for the developer when I say that is their intent.

COMMISSIONER McCAULEY: Okay.

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1 MR. WALLACE: See we're still in
2 progress. We are still trying to work out.

3 COMMISSIONER McCAULEY: So how do we
4 solidify that?

5 MR. WALLACE: We are working with the
6 group from a fairly technical standpoint.

7 COMMISSIONER McCAULEY: Yes. And then
8 my other question would be as to the location of
9 the grease thing. And I guess I'm concerned,
10 what do you think the impact will be in terms of
11 odors in the surrounding properties?

12 MR. WALLACE: One of the reasons you see
13 the grease proposed right now at the far end of
14 the development, is to put it as close to an
15 open air area and in the least confined space
16 possible.

17 Grease doesn't ever smell good.
18 And right now grease collection for both the
19 existing Bread Basket and Mikey's Pizza Kitchen
20 are in containers. So if you go near them, they
21 don't smell that good. So we are hoping not to
22 confine that grease in a trapped area.

23 COMMISSIONER McCAULEY: Okay, and
24 currently they are where? Are they right behind

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1 the businesses?

2 MR. WALLACE: There's grease collection.
3 We've had grease collection in a number of
4 spots, as we have been working this out. There
5 was grease collection at one time behind Bread
6 Basket; now Bread Basket and Mikey's both have
7 grease in the alley between the two businesses,
8 there is a grease container there.

9 COMMISSIONER McCAULEY: Okay, all right,
10 thanks, Jim.

11 CHAIRPERSON SCHLOSSBERG: Okay,
12 applicant, petitioner, would you like to say
13 something?

14 MR. BRAITHWAITE: Certainly. I'm not
15 going to comment on the technical matters that
16 Mr. Wallace --

17 CHAIRPERSON SCHLOSSBERG: I have to
18 interrupt and just ask you -- I have to ask you
19 to read your name.

20 MR. BRAITHWAITE: I am Bill Braithwaite,
21 attorney for Cook Street Plaza, joint venture.

22 And one of the members of that
23 joint venture is here alive tonight, my wife.
24 Ben Borkin as was mentioned is not able to be

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1 here.

2 The matter of the landscaping that
3 was discussed is a matter which is still under
4 discussion, and we will be working on that with
5 the staff and with appearance, architectural
6 review.

7 Quite apart from the technicalities
8 that, as important as they are, I do want to say
9 that if you haven't gone downtown at 7:00 or
10 8:00 o'clock in the evening, please do so. It
11 is alive. Francesca's is opened. Francesca's
12 is packed. And there is such a sense of
13 activity brought to downtown and so many people
14 are commenting so favorably about that.

15 I urge you to all make a point to
16 go by there because Francesca's will take people
17 in the restaurant until the 9:00 o'clock. So
18 there are people downtown now regularly until
19 10:30, 11:00 o'clock.

20 CHAIRPERSON SCHLOSSBERG: Thank you. If
21 we get this hearing closed, we can all -- okay,
22 are there any other questions for the petitioner
23 and staff, Commissioners?

24 COMMISSIONER PATSEY: Yes.

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1 CHAIRPERSON SCHLOSSBERG: Yes.

2 COMMISSIONER PATSEY: I would like to
3 comment on recommendation number 2 about having
4 the door to the mechanical room swinging out?
5 Having spent my time in wire closets as a field
6 engineer, I would really recommend against
7 making that recommendation. I think those doors
8 should swing out. That's just my comment and I
9 would hope that we would not include that as
10 part of our proposal.

11 CHAIRPERSON SCHLOSSBERG: Will it work
12 without that? Because we can see the letter too
13 saying we hate to have an explosion there.

14 MR. WALLACE: Which letter are you
15 referring to?

16 CHAIRPERSON SCHLOSSBERG: Someone wrote
17 back and said, gee, we think that's a bad idea.
18 It's in our packets.

19 COMMISSIONER McCAULEY: The door thing?

20 CHAIRPERSON SCHLOSSBERG: The door.

21 MR. WALLACE: Well, I personally, most
22 strongly disagree with the idea that that's a
23 hazardous location. I'm thinking of safety of
24 someone coming out of that elevator room and

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1 hitting a car or hitting a person. But aside
2 from that, if you think it's going to make the
3 elevator more room, the elevator room,
4 mechanical room, more inconvenient; and if you
5 don't feel it really constitutes a safety hazard
6 to swing it out then, that's fine too.

7 I just, I went around and around
8 with Ben on this thing. And I think it's a
9 community issue for the elevator mechanical room
10 more than anything else.

11 CHAIRPERSON SCHLOSSBERG: Thank you.

12 COMMISSIONER McCAULEY: I have a
13 question on the sign.

14 I'm looking at, I'm trying to --
15 the elevation of the sign, it's A-14.4 in the
16 packet. I am going from memory. Weren't there
17 plans showing awnings as part of this
18 development?

19 MR. WALLACE: Awnings were an option,
20 yes. That was one of the points I was going to
21 bring up. Thank you for bringing that up.

22 The awning option has been
23 eliminated. We felt it's not feasible due to
24 the ventilation grilles that constitute a

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1 horizontal band on the building now.

2 These ventilation grilles are very
3 essential for the heating and air conditioning
4 of the individual tenant spaces. And so as the
5 designed progressed and evolved, it was felt
6 that to put awnings there is just not a feasible
7 option any longer. So the petitioner has really
8 elected to do away with that option.

9 COMMISSIONER McCAULEY: Well, okay, is
10 that a Plan Commission issue or is that an
11 architectural review issue?

12 MR. WALLACE: We believe it is really an
13 architectural review commission issue. It does
14 relate to the signage plan.

15 COMMISSIONER McCAULEY: Our issue is
16 what, the size of the signs basically?

17 MR. WALLACE: Yes, the number of signs
18 that are proposed.

19 Basically we are allowing one for
20 each tenant, unless you are a tenant on a
21 corner. Signs maximum of 25 feet. Within each
22 tenant space as projected straight from the
23 tenant space, signage will be limited to be
24 within that portion of the sign panel; however

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1 it would not be in the last two feet on either
2 end of the sign panel for that.

3 COMMISSIONER McCAULEY: And I'm just
4 curious. The elimination of the awnings, was
5 that something that was passed on by the
6 architectural review? How did that happen
7 without approval?

8 MR. WALLACE: The development is
9 actually going back to ARC for numerous issues.
10 So that has not yet been approved.

11 COMMISSIONER McCAULEY: All right,
12 thanks.

13 MR. WALLACE: My understanding was
14 really that was an option for the building.

15 COMMISSIONER McCAULEY: So it was never
16 a requirement?

17 MR. WALLACE: That's my understanding.

18 COMMISSIONER McCAULEY: Okay.

19 CHAIRPERSON SCHLOSSBERG: I guess on
20 this point and maybe -- I don't know that it is
21 specific to Cook Street Plaza but it's a thought
22 I had, and I think you explained to us, that as
23 engineering evolved, some of these things that
24 had been proposed had to change and it is coming

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1 to us now as a state of complete and asking us
2 to approve it. That's unusual. I haven't seen
3 that since I have been on this Commission.
4 Would you describe this as sort of exceptional
5 or is this sort of a -- what should we expect
6 going forward because we can't very well say
7 know and have them rebuild the garage for
8 instance, or maybe we could -- it's in our power
9 to do but I don't know that we will.

10 MR. WALLACE: I think this is an
11 exceptional case. I think this has, is an
12 exceptional development. It is a unique
13 development and extremely complex development
14 and also part of a public/private partnership.
15 So in many respects the development is governed
16 by a redevelopment agreement between the Village
17 and the government. And in essence what this
18 development does, is tries to fit a development
19 in a very tight space and provide public parking
20 at the same time.

21 So what you have here I think is
22 truly a unique situation.

23 CHAIRPERSON SCHLOSSBERG: And that's why
24 I think this may be not appropriate for this

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hearing but my to you would have been, is there something we should do differently when we approve things so that you don't have to be put in this position; or if you think this is unique, we can, you know, think this as -- should our approvals be more conditional or be subject to more discretion, we would be putting more discretion in staff; or again, you just think this is unique in this case?

MR. WALLACE: As much as I do believe it's unique, I think the points that you bring up are something that we should as a Commission and staff be aware of for future developments for these possibilities. So that we will, we will have more flexibility and not require an amendment every time one little thing changes.

And also have a clear understanding from the get-go of what are the elements that we really need to impose, what are the critical ones. So I think that's good, really good practice for a future development.

CHAIRPERSON SCHLOSSBERG: Great. Then please don't be shy about telling us when you think we need to give you that discretion, we

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can have our -- you know, so I don't sound like a rubber stamp, we'll have opinions if we disagree, but I think generally, I can tell reading this it put you in a difficult position, and it's good to know if you will let us know going forward.

MR. WALLACE: Will do.

CHAIRPERSON SCHLOSSBERG: Thank you.

Other questions or comments for staff or the petitioner before we close the hearing portion of this?

All right, seeing none -- whoops?

COMMISSIONER HOGAN: I'm sorry, I'm a little bit, I'm still a little confused on Items 12 and 15; and in essence here -- basically 15 is fairly concrete in my mind, but Item 12 seems to me to be, I'm not clear what it is that we are being asked to approve. I mean it seems that it's a very fluid situation as you described it. And I'm not sure what it is that I would be voting yes for at this point.

MR. WALLACE: Item 12 basically is staff's attempt to make sure that the final exhibits attached to this ordinance really

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reflect the as-built condition. And we love -- our preference would be to be able to come to you with an exhibit, to attach to the ordinance and our landscape plaza plan, landscape/plaza/refuse and recycling collection plan that's set, unfortunately we are not able to do that yet. And so what we are asking is that you recognize that that plan is fluid and your recommendation, and simply state that it is subject to the approval of the architectural review commission based on issues of, amend these materials, plantings, the usual things that ARC reviews, and the Village manager so that -- which is in keeping with the ordinance in many respects as it is now. So that we have the ability to adequately collect refuse and recycling. So we are asking you to be flexible on that I guess it the shortest way to put it.

CHAIRPERSON SCHLOSSBERG: Other questions, comments?

MR. WALLACE: I'm sorry, can I answer your question in a little more depth, you said 15 also?

COMMISSIONER HOGAN: Do you know what, I

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misspoke on 15. As I understand 15, that is simply it's impractical to have the brick construction. You just want the different building materials that are described in the --

MR. WALLACE: Yes. And your original, one of the original conditions in the ordinance was that that be a masonry structure, and --

COMMISSIONER HOGAN: And you are saying that just won't fit in there; yeah, I understand that point.

COMMISSIONER McCAULEY: I'm going back to my whole compactor thing.

If we approve this in this stage, what we are basically approving is that maybe the surrounding land owners will get the benefit of that compactor, it's an option? Is that what we would be approving?

MR. WALLACE: You could put it that way.

Maybe it's helpful to compare this to the original approval, which is that there was a plaza plan and refuse detail, refuse collection details were not known at the time of the original approval. And so the original ordinance had a stipulation wherein it said it

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1 it's subject to the approval of the Village
2 manager. So we're not changing that much except
3 for we want to make sure that in order to give
4 you an assurance, because we are now getting
5 along in this project and it's maybe not as
6 appropriate for you to just do things as
7 nebulous as you might have originally, that we
8 are putting the architectural review commission
9 approval in there as kind of an indication that
10 there are details still to be worked out; but we
11 are going to make sure that we have the benefit
12 of public review process, as well as the Village
13 manager review what you initially called for.

14 COMMISSIONER McCAULEY: All right, so
15 then would it be -- so we don't leave things
16 nebulous, would it be reasonable for us to ask
17 you to solidify the plans for refuse removal
18 before we go ahead and approve this?

19 MR. WALLACE: Yes, I would say so.

20 What I would request is that you
21 say that if possible, because if it's not
22 feasible, it's not feasible.

23 COMMISSIONER McCAULEY: Well, I would be
24 more happier, if we could have it determined

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1 before we say yes or no because if it's not
2 feasible, there may be other options that should
3 be reviewed; and given that this is at the final
4 stage, that I think it would be in the interest
5 of the Village and this Commission to have it
6 nailed down.

7 MR. WALLACE: My response to that would
8 be that you can get compactors in humongous
9 sizes if necessary.

10 COMMISSIONER McCAULEY: So if we say if
11 possible, I don't mean to cut you off; but if we
12 say if possible, we are talking about
13 engineering feasibility, what can be
14 manufactured and delivered to the site.

15 MR. WALLACE: Staff's concern is there
16 may be an esthetic price you pay for that. And
17 we don't want, we don't feel that it would be
18 beneficial to the plaza to have a monster of a
19 compactor blocking it off at one end. That's
20 our concern.

21 We believe that a significant
22 portion of the adjacent properties will be able
23 to be served by the compactor.

24 COMMISSIONER McCAULEY: Right. I'm not

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1 going to be, I don't want to be an
2 obstructionist here. My personal preference
3 would be that we nail that issue down. Because
4 I do think it has a big impact on the neighbors,
5 I'm one them, right behind the plaza there. I
6 mean, if those little, what do you call them
7 portables, walkers, toters, I mean if those
8 little toters can be eliminated, I think it
9 would be a benefit for the neighbors who after
10 all have done a great deal in cooperating in the
11 completion of this project.

12 MR. WALLACE: Well, we can certainly get
13 Groot to do an analysis and give us a final
14 answer. We just don't have it at this point.

15 But we had hoped to have that
16 information, unfortunately don't have it
17 tonight.

18 COMMISSIONER McCAULEY: It would be
19 significant for me. And I think it probably is
20 my only major issue right here, to have that
21 answer. And I certainly think it would help me
22 to go ahead and vote yes, on it.

23 Is it something that can be
24 developed fairly quickly?

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1 MR. WALLACE: Staff believes we can have
2 that answer within a week or two at the outside.

3 CHAIRPERSON SCHLOSSBERG: Do you want
4 to --

5 MR. BRAITHWAITE: I would like to make a
6 comment.

7 We would, if this can be approved
8 this evening, we will work in good faith with
9 Mr. McCauley as we would with any other property
10 owner who had a particular problem. We've had
11 numerous minor issues that have arisen, and they
12 all have been worked out in good faith. I don't
13 think this is really a matter that the entire
14 Plan Commission should hold this up. We really
15 want to get this to the Board and get in the
16 other approval process.

17 What really is at stake here is
18 getting the approval so we can have people start
19 moving in the condos.

20 COMMISSIONER McCAULEY: Okay.

21 Well, Bill, let me ask you what do
22 you think. Would it, is this going to create a
23 problem, are we going to -- how can I put this
24 in an appropriate way, we have got probably five

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1 or six toters behind there, do you think that
2 the compactor will be able to accommodate the
3 toters?

4 MR. BRAITHWAITE: I'm in the going to
5 get into the technical -- if it can be done in a
6 feasible manner, then we will do it. I have no
7 idea what the details would be.

8 You're certainly very creative, and
9 Borkin is creative, and I assume that something
10 can be worked out. I'm not the technician.

11 COMMISSIONER McCauley: Right.

12 All right, well that would be
13 enough for me.

14 CHAIRPERSON SCHLOSSBERG: Okay, other
15 comments or questions?

16 Again, we will -- if seeing none
17 and seeing that there are no other members of
18 the public to comment, unless you would like
19 to -- no? Then we will close this and I'll
20 entertain a motion and discussion on that
21 motion?

22 Would you like to --

23 COMMISSIONER PATSEY: I think we can
24 make a motion to vote the 16 recommendations as

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1 put forth by staff with the exception of
2 number 2, I believe we should strike that.

3 CHAIRPERSON SCHLOSSBERG: Okay, do we
4 have a second?

5 MRS. BRAITHWAITE: What is number 2?

6 MR. BRAITHWAITE: Can we get a
7 clarification on that?

8 MR. WALLACE: I'm not sure you intend
9 really to strike all of number 2 because it does
10 have things about striking the access aisle.
11 You might want to clarify your motion and say
12 you are just talking about the doors.

13 COMMISSIONER PATSEY: We strike the
14 doors, modify the swing into the room rather
15 than out.

16 CHAIRPERSON SCHLOSSBERG: Would you like
17 to reformulate your motion, you have an
18 opportunity to do that since it's never been
19 seconded.

20 COMMISSIONER PATSEY: So I would move
21 that we accept the recommendations as put
22 forward by staff with the exception of modifying
23 number 2, to not require the door to swing into
24 the room rather it continue to swing out.

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1 CHAIRPERSON SCHLOSSBERG: Okay, do we
2 have a second?

3 COMMISSIONER McCauley: I'll second it.

4 CHAIRPERSON SCHLOSSBERG: Would you like
5 to discuss the motion, Commissioners?

6 Why don't we start at your end
7 and --

8 COMMISSIONER McCauley: Sure. We are --
9 Jim, you seem to -- Jim and John seem to feel
10 very strongly on this issue, of course.

11 MR. WALLACE: I don't feel that strongly
12 about the issue. What I don't feel is that it
13 really is a hazardous situation. I think it's a
14 convenience situation, but I don't feel strongly
15 about the door swing.

16 COMMISSIONER McCauley: Okay.

17 CHAIRPERSON SCHLOSSBERG: But you do
18 think it's hazardous? You've been in those
19 rooms?

20 COMMISSIONER PATSEY: I have been in
21 those rooms, and I would not want to be in one
22 where the doors swing in.

23 CHAIRPERSON SCHLOSSBERG: Okay. Where
24 the doors swing in?

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1 COMMISSIONER PATSEY: Correct.

2 CHAIRPERSON SCHLOSSBERG: But you do
3 want it to swing so you can --

4 COMMISSIONER PATSEY: Doors to swing in.

5 CHAIRPERSON SCHLOSSBERG: Okay, is that
6 your only comment?

7 COMMISSIONER McCauley: That's it.

8 CHAIRPERSON SCHLOSSBERG: Any further
9 comments?

10 COMMISSIONER PATSEY: No.

11 CHAIRPERSON SCHLOSSBERG: No other
12 comments.

13 Okay, seeing none. Can we call the
14 roll?

15 MR. EVANS: Commissioner Ehrle?

16 COMMISSIONER EHRLE: Yes.

17 MR. EVANS: Commissioner McCauley?

18 COMMISSIONER McCauley: Yes.

19 MR. EVANS: Commissioner Patsey?

20 COMMISSIONER PATSEY: Yes.

21 MR. EVANS: Commissioner Hogan?

22 COMMISSIONER HOGAN: Yes.

23 MR. EVANS: Chairperson Schlossberg?

24 CHAIRPERSON SCHLOSSBERG: Yes. Okay --

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MR. BRAITHWAITE: Thank you very much.

CHAIRPERSON SCHLOSSBERG: Thank you very much. Oh, look it's after 9:00. No dessert for the Plan Commission.

Okay, then that completes both old and new business. Unless there is some other new business we will move on to the approval of the minutes of March 21, 2006; though I confess to not actually seeing those in my packet.

MR. PATSEY: It was the transcript.

CHAIRPERSON SCHLOSSBERG: Oh, it was the transcript, I'm sorry, okay.

COMMISSIONER EHRLE: So moved.

CHAIRPERSON SCHLOSSBERG: So moved.

COMMISSIONER MCCAULEY: Second.

CHAIRPERSON SCHLOSSBERG: Okay, all those in favor?

(Chorus of ayes.)

CHAIRPERSON SCHLOSSBERG: Any opposition?

(No response.)

CHAIRPERSON SCHLOSSBERG: Okay, pass. Minutes have been approved.

We did have other business for Plan

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Commission discussion. We had someone originally wanted to make some public comment.

MR. EVANS: Yes, Mr. Bill Hartman was here earlier and wanted to make comments, but I guess he must have run out of time or something. He didn't stay around.

CHAIRPERSON SCHLOSSBERG: Okay. Is there any other -- then should we move on to the planner's report?

MR. EVANS: Sure I'll update you on some of the things that happened.

At the May 8th meeting of the Village Board they approved Stratford Townhomes, which is a 7-unit town home plan that went before the Commission on March 14th.

And they also approved Picture Master, which was also, came before the Board on February -- Commission on February 28th, and it was approved on May 8th.

We expect June 13th, you will see GE Health Care, they have made a submission for some of the changes entry, some docks and some parking on their plan, that's probably a case that's going to happen on June 13th.

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Also, maybe at the end of June there will be a text amendment regarding a new watershed development ordinance by the Village, and --

CHAIRPERSON SCHLOSSBERG: I didn't hear. What's it going to be?

MR. EVANS: There's a new Lake County Watershed Development Ordinance and the Village needs to adopt that as part of our subdivision ordinance, which is a part of our comprehensive plan. And then we also want to have some flexibility in that as it changes, that will it will be adopted.

And lastly, we received a submittal in last week for 407 East Main Street that we are still in the technical review on that. That's basically an update.

We will have also a map amendment that we -- there's a small error that we made and where a line was drawn and switched over from a map system to GIS system, and so we need to clean up where that line is at and we will bring that up in the future, so. That's all I have for the staff report.

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COMMISSIONER HOGAN: Just so I'm not confused by that, I thought you said 6/13 meeting, is that the June 9 meeting?

MR. EVANS: Yes. I made a mistake on that. It's June 13th, not June 9th.

CHAIRPERSON SCHLOSSBERG: June 13th.

Okay, seeing that there is no other business, or comments, I guess I need a motion to adjourn the meeting -- or do I just adjourn? I make a motion...

COMMISSIONER MCCAULEY: I move to adjourn.

COMMISSIONER EHRLE: I second.

CHAIRPERSON SCHLOSSBERG: All in favor?

(Chorus of ayes.)

CHAIRPERSON SCHLOSSBERG: Aye. We are adjourned. Thank you very much.

(WHICH WERE ALL THE PROCEEDINGS
HAD REGARDING COOK STREET
PLAZA.)

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2)

3 COUNTY OF L A K E)

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6
7 I, Carla P. Letellier, a Certified
8 Shorthand Reporter of the State of Illinois, CSR
9 No. 084-003315, do hereby certify that I
10 reported in shorthand the proceedings had in the
11 aforesaid matter, and that the foregoing is a
12 true, complete and correct transcript of the
13 proceedings had as appears from my stenographic
14 notes so taken to the best of my ability.
15
16

17 Carla P. Letellier
18 CERTIFIED SHORTHAND REPORTER
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